BATTLE FOR DAY CARE **ELINOR C. GUGGENHEIMER**

THE NATION

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NEVER A KIND WORD FOR ABEL

SEWAGE: The Surprising Resource — Wesley Marx

Appraisal Conglomerates — *Peter Gruenstein*

What's Wrong with the Property Tax

Sara Sanborn

Louis Nizer's *'The Implosion Conspiracy'*

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LETTERS

mail call

Washington, D.C.

DEAR SIRS: I have just read James H. Rademacher's "What a Way to Carry the Mail!" [*The Nation*, Apr. 23], setting forth the problems facing the U.S. Postal Service and the alternatives open to Congress and the public if we would like to see mail service improve.

I believe Mr. Rademacher hits the nail on the head when he states "that the dissolution of mail service has been induced by short-sighted policies and public-be-damned economies."

As a member of the House Post Office and Civil Service Committee, I have been deeply involved in this area, and I've concluded that the mail breakdown is due primarily to poor management at top levels of the new postal corporation and false economies in service cutbacks.

I have introduced legislation in Congress to establish minimum standards of postal service, then provide the postal corporation with additional funds to help meet these standards until the new corporation gets on its feet. The bill would also re-establish Congressional overview over the Postal Service operations.

The support for this legislation has been impressive, both from members of Congress and from citizens and postal workers all over the country. Action is needed now, as Mr. Rademacher points out, and I am hoping we can get some legislative action along these lines before the service deteriorates further.

Rep. Elwood H. Hillis
5th District, Indiana

protesting the preposterous

Philadelphia, Pa.

DEAR SIRS: In his generally favorable review of *The Dream and the Deal* [*The Nation*, Mar. 19] Jack Salzman makes several preposterous statements. For one thing, he says that I have "a penchant for making unsupported statements." But the only example he cites is one that is easily proved. He claims that "there's no evidence to support" my statement that Kenneth Fearing "was closely identified with the Stalinist faction."

There is plenty of evidence to show that Fearing, though not politically aggressive, definitely allied himself with the so-called Stalinists during most of the thirties. Not only was he a member of the John Reed Club, which was Communist-controlled, but he was also one of the editors of the early *Partisan Review* when it was being sponsored by the John Reed Club. This fact is mentioned in Daniel Aaron's excellent study, *Writers on the Left*, which I cite in my book. . . .

Salzman finds fault with me for having interviewed former members of the Writers' Project and for having corresponded with them. He dislikes the fact that I use anecdotes and that I tell of my own experiences with the Writers' Project. And he gives me no credit whatsoever for having evaluated the information from my human sources with my researches in the National Archives and elsewhere. . . .

On the other hand, he is imaginative to the point of being offensively unscholarly when he recommends to his readers that "For an interesting picture of Fearing during the early thirties," they read a work of fiction by Albert Halper!

Jerre Mangione

correction

In "Chicanery in Private Pensions" by Fred Cook [*The Nation*, Feb. 26] Connecticut Mutual is mentioned as the insurer connected with the Hickok Manufacturing Co. We are informed by Connecticut Mutual that it has never underwritten a pension plan for Hickok.

The Editors

EDITORIALS

Watergate: Phase IV

Phase I ended with Judge Sirica's sentencing of the break-in defendants. Phase II culminated with the setting up of the Ervin investigation and the decision of Messrs. McCord and Hunt to start talking. Phase III carried through the involvement of third and second echelon aides —Magruder, Dean, Chapin, Strachan, Haldeman, Kalmbach, LaRue, Stans, Mitchell—their retention of counsel, the scampering for cover and mutual recrimination.

Phase IV finds the spotlight glaring in the eyes of the President himself. A healthy fear of Mr. Nixon, along with a deep respect for the office he holds, is reflected in the discreet assumption, in most of the comment, that he did not know what his aides were doing. But Hugh Sidey, *Time*'s Washington correspondent, visited his hometown of Greenfield, Iowa, almost dead center of the Nixon heartland, and discovered that indictments of the President "were almost total." Most people "in this old Republican barony" were concerned not so much with the specifics of issues as with the President himself. "The most telling measure of a man's stewardship is himself, or at least, the way he portrays himself. . . . Time and again the theme was repeated: Why must the President pursue noble objectives in such underhanded ways?" The Greenfield consensus is not biased in a partisan sense nor is it paranoid. Mr. Nixon's political style is well-known; it has been widely publicized, by all media, for several decades.

In 1962, H. R. Haldeman, Herbert Klein, Herbert Kalmbach, Maurice Stans and Murray Chotiner joined in approving a fake mailing to California voters which purported to come from the "Committee for the Preservation of the Democratic Party in California" and sought to discredit Gov. Edmund G. Brown. Court records substantiate the charge, a fact which prompts Roger Kent, former State Chairman of the Democratic Party in California to observe: "In the light of the official findings of Judge Arnold in 1964, do you believe that candidate Nixon and Haldeman are innocent of complicity in the Watergate bugging and other espionage and sabotage in 1972?"

It is a good question. "When I am the candidate," Nixon said in 1971, "I run the campaign." It insults reason and defies the known facts of Nixon's political career to believe, for example, that he was unaware of the massive flow of campaign contributions to his re-election committee. Money flooded the place. And in many instances, the largest contributions correlate with favors granted in careless, even reckless, disregard of the largely hypocritical "proprieties" usually observed by the treasuries of both parties. The President and his White House aides may not have known that Mitchell waited until Vesco had delivered the $200,000 cash contribution before setting up the appointment Vesco wanted with SEC officials, but they are charged with notice of a contribution of this size. No fiction of "deniability" can protect them. And it was this flood of cash, with thousands still unreported and unrecorded, that set the stage for Watergate.

But the widespread feeling—more prevalent than the polls indicate—that the President is involved, that he is indeed the central figure in the Watergate scandal, rests

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on a substantial symbolic truth. Nixon and his aides have ushered in the "managerial Presidency," based on the model of the large private profit-making corporation. In this view, Mr. Nixon is President and Chairman of the Board of USA Inc., and has all the powers he can successfully assert. By analogy, did Harold Geneen know of ITT plotting in Chile? His testimony was cunningly evasive, but it was quite clear that he did know, since otherwise these actions could not have been undertaken. With virtually unrestricted managerial power goes full responsibility. Now we know that the scandal of Equity Life extended to the parent company, Equity Funding, and that it involves "more than $120 million in nonexistent assets" and that it has been going on since 1964. Stanley Goldblum, former president and chairman of the board of Equity Funding, may not have known every detail of the operation but he is clearly charged with responsibility for what happened. If he had not approved of it, in person or by proxy, the operation could not have been carried on for nearly a decade. Under such circumstances "deniability" is no defense.

Faced with these realities, Mr. Nixon confronts the most serious crisis of his crisis-ridden career. He is responsible for what happened at Watergate and related espionage activities. He is responsible for the scandal of campaign contributions to CREEP. And he cannot escape responsibility by reshuffling the White House staff. His Administration cannot properly investigate itself nor can it investigate his conduct in office. Attorney General Kleindienst, Asst. Atty. Gen. Henry Petersen, and Messrs. Silbert and Glanzer (assistant U.S. attorneys in charge of the grand jury inquiry) are all Nixon appointees and serve at his pleasure. Not only that but these men demonstrated from the outset a marked reluctance to press the Watergate charges.

The President's recent actions indicate his determination to bluff it through by selecting a few scapegoats, creating some headline-grabbing diversions, and staging what will appear to be a "house cleaning" in which he will cast himself in the role of the leader betrayed by his friends. The situation calls, as Joseph A. Califano, Jr. has convincingly demonstrated (*The New York Times*, April 24), for the appointment of a special prosecutor, of high repute, after consultation with the Democratic leadership. Naming Harlan Fiske Stone as Attorney General helped President Coolidge cope with the Teapot Dome scandal. But he was not thought to be personally involved and Watergate is a far more serious matter on other counts as well. Even so, the President should replace Kleindienst with a truly distinguished American lawyer and name as director of the FBI a person in whose independence and integrity the public could have confidence. The President's problem is that he is widely believed to have been personally involved—a fact which has already led to a furtive and tentative discussion of impeachment. But the facts on which such a proceeding might be based have not been firmly established. Naming an independent prosecutor and Attorney General and FBI director of high quality would clear the air. With the assistance of the Ervin investigation, it should then be possible either to exonerate the President or to establish the extent of his involvement.

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New Twists and Turns

The resolution adopted in the Security Council following the April 10th Israeli raid on terrorist headquarters in Beirut reflected some changes from earlier ritual debates on the Middle East conflict. While the Council reiterated its long-standing opposition to any condemnation of Israeli policy and actions, it also condemned—parenthetically, as it were—"All acts of violence which endanger or take innocent human lives and which endanger international civil aviation"—thereby taking official note, with "deep concern," of Arab terrorist tactics.

U.S. Representative John Scali said that the Council did not address itself enough to these terrorist activities; he therefore abstained in the vote. He noted, however, that "my government will regard the resolution's positive elements as points of departure for efforts to seek a new era in the Middle East."

The United States, standing firmly with Israel, had threatened to veto an earlier Franco-British text which established a clearer distinction between Arab terrorist acts and Israeli reprisals and which warned Israel of "more effective measures" in case of new military actions.

The United Kingdom had co-sponsored such a text for the first time because the British feel that their policy of not pursuing IRA raiders into the Irish Republic has been proven correct by the anti-IRA measures taken lately by Dublin. The British attitude also stemmed from the fact that some of the Israeli agents in the raid on Beirut had used British passports, and also, one suspects, because Britain's entry into the Common Market is loosening its ties to the United States and encouraging moves for harmonization of European policies, based largely on economic considerations. Economic factors, especially the oil crisis, are also influencing Washington's reappraisal of global and regional patterns, now that Moscow's eagerness for American trade has practically eliminated the danger of confrontation with the Communist world.

Cairo is aware of this readjustment and is watching to see if it can help to ease Egypt out of its frozen stance. Egypt needs a new initiative, from whatever source, and Foreign Minister Mohammed El Zayyat would not have minded another American veto, which could have stirred things up. Cairo's purpose in requesting a full Security Council debate on the Middle East, to take place in the next few weeks, was to stimulate new diplomatic moves, in or out of the U.N., to bolster its hitherto futile attempts to recover territory held by Israel since the Six Day War.

Lebanon, on the other hand, does not nourish any grander ambition than to escape punishing blows resulting from the presence on its territory of a large number of Palestinians, among them well-organized bands of terrorists. Lebanon's failure to restrain the terrorists results in Israeli raids, and any attempt to control the guerrrillas could trigger an armed struggle in which the Palestinians might prove victorious against a weak Lebanese Government and army. Lebanon, which has close ties with France, was eager for the Council to adopt a more moderate text, rather than risk a new crisis which an American veto could have precipitated.

ANNE TUCKERMAN

Written in Oil

If ever a special interest left its imprint on government policy, it was seen in President Nixon's "message on energy." If the message was not written by the major oil companies, the coincidence is striking, for its content did not vary a jot from full-page ads the oil industry has been running in recent months to soften up the public's acceptance of nonregulation and higher prices.

One measure of the message can be had by comparing it to a 7-point program issued December 29, 1972, by Frank N. Ikard, president of the American Petroleum Institute and chief lobbyist and spokesman for the oil industry. The Ikard-API 7-point program follows, accompanied by statements from Nixon's energy message:

(*1*) Accelerated leasing of federal lands for petroleum exploration—both onshore and offshore. (Nixon: "I am therefore directing the Secretary of the Interior to take steps which would triple the annual acreage leased on the Outer Continental Shelf by 1979, beginning with expanded sales in 1974 in the Gulf of Mexico. . . .")

(*2*) Deregulation of natural gas prices. (Nixon: "I am proposing that gas from new wells, gas newly dedicated to interstate markets, and the continuing production of natural gas from expired contracts should no longer be subject to price regulation. . . .")

(*3*) The strengthening of tax incentives. (Nixon: "In order to encourage increased exploration, I ask the Congress to extend the investment credit provisions of our present tax law so that a credit will be provided for all exploratory drilling for new oil and gas fields. Under this proposal, a somewhat higher credit would apply for successful exploratory wells . . . in order to put an additional premium on results.")

(*4*) Stepped-up research on energy fuels, including alternative fuels such as oil shale and tar sands. (Nixon: "My budget for fiscal year 1974 provides for an increase in energy research and development funding of 20 per cent over the level of 1973.")

(*5*) The encouragement of economical and efficient energy consumption practices. (Nixon: "I am directing today that an Office of Energy Conservation be established in the Department of the Interior to coordinate the energy conservation programs which are presently scattered throughout the federal establishment.")

(*6*) The development of deep-water harbors and expanded port facilities. (Nixon: ". . . I believe we must move forward with an ambitious program to create new deep-water ports for receiving petroleum imports.")

(*7*) Increased domestic refinery capacity. (Nixon: "[The new import fee program] should encourage refinery construction, because the fees are higher for refined products than for crude oil. As an added incentive, crude oil in amounts up to three-fourths of new refining capacity may be imported without being subject to any fees. This special allowance will be available to an oil company during the first five years after it builds or expands its refining capacity.")

Item by item, without missing a beat, Nixon put his stamp of approval on the oil industry's proposals. Which isn't to say that they are all bad. But it is disconcerting to see an industry so blatantly running a very crucial part

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of government planning. The most insulting part of Nixon's message was the statement that his brain trust had been studying the energy problems for the past twenty-two months and that they had arrived at their conclusions in an independent fashion. An independent, objective judgment, which also considers the welfare of the consumer, is the last quality to be found in the message.

ROBERT SHERRILL

Nobody's Puppet

Thomas Bradford Curtis, who until April 17 was chairman of the Corporation for Public Broadcasting, quit the job abruptly after a stormy meeting of his board, at which it turned out that it was not his in any operative sense. President Nixon appointed him only last fall, and four days later prodded the other members into electing him chairman. It was a shrewd move; Mr. Curtis has a well-deserved reputation for probity and skill in compromise, and his chairmanship promised to bring some order into a highly confused situation. A Republican, he had served in Congress for eighteen years and was and is highly respected, perhaps the more so now because of his resignation.

Mr. Curtis is a quintessential old-line, Middle Western conservative, a rare breed and one that grows steadily rarer. *The Nation* has had occasion to praise him more than once, even though we have not always agreed with him. His appointment might have been an occasion to praise Mr. Nixon likewise, but Clay Whitehead, the White House *Wunderkind* in communications, decreed otherwise.

With Curtis in the chair, and after much negotiation, a compromise was worked out between local station operators and the CPB board members who want public broadcasting to be strictly "educational" and "cultural," with no public affairs programming, and those who held a more ambitious view of its function. It appears that the board was prepared to approve the compromise plan by a 10-to-4 vote, but then reversed itself and voted to defer action by the same 10-to-4 margin. The reversal was the result of persuasion and arm-twisting over the telephone by Administration hard-liners, led by Mr. Whitehead.

The manner of this interference led to Mr. Curtis' resignation. He had no objection to the President's staff stating their views in a proper manner, say by writing a letter to the CPB chairman and giving it to the press to serve as a basis for discussion. But that is not the Administration's idea of government.

If Curtis had stayed as chairman, he would have been forced to connive in White House behind-the-scenes control of CPB and the PBS network, under the guise of decentralized, local choice of programs. The matter has wider reference than public TV. Public corporations of the CPB type are supposed to be agencies set up by the Congress to carry out the will of the Congress. Instead, the White House illicitly tampered with this arrangement, forgetting, however, that the proposed victim was not a man to be tampered with. By resigning, he has exposed another of the President's power grabs. But by stating his reasons, he has given the public a clear understanding of the nature of his differences with White House policy. Honorable men will resign office when they feel they must; but to resign, as so many have done in the cold-war years, without stating the reasons, is to safeguard one's conscience without enlightening the public. Mr. Curtis has served both himself and his fellow citizens.

On Understanding

Honest to God, Richard Nixon and Clay Whitehead have nothing to worry about. Everything is A-Okay among those we call television journalists. The situation is well in hand. It always has been. There is no need for heavy-handedness; the networks understand.

The television men have a problem remarkably similar to that of Nelson Algren's Some Fellow Willie. He was forever suspicious of himself because he looked suspicious to the cops. They invited him into the squad car. He asked why. "Look in the rear view mirror," they advised. "Don't you look suspicious?" He agreed. They fingerprinted him. He asked why. They patiently explained to him that, even though he had not yet knocked somebody on the head, he might do so. He understood. For weeks afterward, he hung around the station, in case the cops needed him. Some Fellow Willie certainly needed *them*. So, too, with the men of television. They need Nixon.

On a Sunday afternoon recently, I sat through *Issues and Answers*, ABC's weekly discussion program. Brig. Gen. John Flynn, a returned POW, was being questioned by Herb Kaplow and another, whose name and face have already escaped me. It was a subdued occasion; reverence was in the air. Naturally, there were no impertinent questions. (An impertinent question, as defined by British physicist, J. Bronowski, is one that touches the heart of the matter.)

At one stage of the discussion, during which the General recounted the fortitude of the men under torture, he murmured, "We all knew why we were there." Like a cretin, I assumed that Kaplow and No Name would be as impertinent as Some Fellow Willie: "Why *were* you there?" There's no telling what the General might have replied. Perhaps a lowering look would have been enough. At least, the journalists might have experienced the perverse delight of feeling guilty. Of feeling *anything*. But no, they understood.

The General further advised them that South Vietnam has a more stable government than North Vietnam and that, by virtue of its democratic spirit, it would survive any onslaught of socialism. The impertinent question—"How did you come to that conclusion, General?"—was not forthcoming.

Toward the end of the half hour, the General let it be known that he and his gallant fellows were pursuing "our national objective." Again, I held my breath. Would impertinence make itself felt here? "What is our national objective?" But no, they understood.

The hosts expressed their profound appreciation of the General's presence, and it was all over. I felt funny. As though I'd had a Chinese meal, nothing stayed with me. Fortunately, there immediately flashed the trailer for a coming attraction on the network: "Searching the Unknown." I felt better already.

STUDS TERKEL

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THE APPRAISAL CONGLOMERATES

What's Wrong with the Property Tax

PETER GRUENSTEIN

The Supreme Court's approval in the *Serrano* case of the property tax as a way to finance local education means that this most maligned of revenue raisers will be with us for some time to come. While there is no doubt that the vast majority of present local property tax systems are steeply regressive and grossly discriminatory, much of the criticism leveled at them has been misdirected. It is one of the "least understood subjects of public and official discussion today," says Ralph Nader. "Indications are that the property tax could be a fair, equitable and progressive tax. If the revenues currently lost through underassessment and maladministration could be regained, the burden on small taxpayers could be much less even under existing laws."

Mason Gaffney, an economist with Resources for the Future in Washington, agrees. Gaffney believes that the property tax is potentially more progressive than the income tax, for the reason that property is more inequitably shared in the United States than is income. Almost everyone has some income, but many own no taxable property; 10 per cent of the population gets 30 per cent of the income but owns 50 to 60 per cent of the real estate. Also, a good property tax can serve to plug income tax loopholes.

In other words, the property tax (which now raises more than $40 billion a year) is reformable, although local property tax systems are usually so riddled with incompetence, inefficiency, conflict of interest and sometimes outright corruption, that it will be no easy task. In fact, if the federal income tax were administered as poorly as the property tax, we would probably have lacked the funds to fight in Vietnam.

A large part of the property tax morass stems from unprofessional or dishonest assessments which produce tremendous tax breaks for large corporations and the wealthy. For example, a study made by Texas University law students found that oil-producing properties in Hector County, Tex., were underassessed by about 56 per cent as opposed to about 7 per cent for home owners. Union Camp, a large South Carolina corporation, sold to the state for $2,000 per acre land that was being assessed at $20 per acre. Even after the sale, adjoining Union Camp land that was not sold continued to be assessed at $20 per acre. In Appalachia, rich coal lands are being assessed at $10 per acre or less, even though they sell for $200 to $500 per acre on the open market.

One of the most disturbing trends in the assessment of property has been the rise of large national appraisal firms—companies with which municipalities contract to reassess all the real estate within their jurisdictions. By far the biggest of the fifteen or more such firms is Cole-Layer-Trumble, based in Dayton, Ohio. In a number of cities where CLT has been hired to do reassessments, allegations of gross inefficiency, discrimination and conflicts of interest have been leveled at the firm. Its corporate history and recent troubles provide a fascinating glimpse into the property tax mess.

In April 1970, American Appraisal Co. (AAC) bought out CLT and formed a holding company called American Appraisal Associates (AAA), with AAC and CLT as subsidiaries. Individual companies hire AAC to make private appraisals of their property; such valuations can then be used to fight a property tax assessment or to determine depreciation or insurance rates or help to set terms for sales, mergers, loans and collateral. Another AAA subsidiary, Stone and Youngberg, advises local governments on how to finance various projects such as water and sewer systems. The potential for conflict of interest among the three subsidiaries is blatant. For example, might CLT, when making citywide assessment of property, be tempted to give a break to a corporate client of AAC? Might it be inclined to accept a prior appraisal made by AAC of one of its corporate client's property (which may have been purposely assessed as low as possible) rather than make its own higher assessment and risk the indignation of the client? Suppose CLT does make its own assessment of an AAC client and the client challenges the new figure, how hard will CLT fight to sustain its valuation? What about potential clients? Will CLT tend to be more lenient with corporations than with ordinary home owners, hoping that grateful companies will subsequently call on the services of AAC? Similar questions can be asked about the activities of Stone and Youngberg which, for example, advises its municipal clients on how to finance a new sewer system. Will the system be financed by issuing bonds (which corporations like) or through a user fee (which corporations, as the largest users, tend not to like)?

Ettore Barbatelli, president of the AAA holding company, maintains that there is no conflict of interest. In a letter dated February 15 he stated:

> American Appraisal Company and CLT operate completely separately from each other. They do not communicate with each other, have no access to the other's records, no knowledge of the other's clients. They do not exchange information; each uses separate and different valuation procedures because of the nature of the work; they do their own pricing and research; they take separate records; and have separate staffs that are not co-mingled in any way. Each company manages itself, elects its own slate of officers, has its own Board of Directors, and fashions its own policy.

On January 18 Barbatelli told the Nashville *Tennessean*, "There is absolutely no relationship or interchange between [AAC and CLT]." Not quite so.

The day the merger between CLT and American Appraisal Company was completed, CLT sent a memo to its clients, stating:

Peter Gruenstein, a Washington free-lance writer, was formerly a legislative assistant to Rep. Les Aspin.

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This merger combines our services in the governmental appraisal field with the most outstanding company providing full valuation service for private business.

In our first discussions with officials of American Appraisal . . . it developed that each company had the same goals and objectives for business development in our respective fields. . . . We feel that the alliance of the two companies will enable us to better serve our clients *through the exchange of technical knowledge* and will enable us to offer you total valuation services (emphasis added).

On February 21, William Gunloch, president of CLT, and Barbatelli, who is president of AAC as well as the holding company, admitted that one AAC employee was transferred to CLT and then back to AAC. Even more revealing was a memo dated November 30, 1970, from AAC in Pittsburgh to CLT in Columbus, Ohio, thanking the public assessing company for providing "sales and field data" to the private company. Six weeks later, CLT in Pennsylvania gave AAC in Columbus appraisal data for an Alcoa plant in Westmoreland County, Pa.

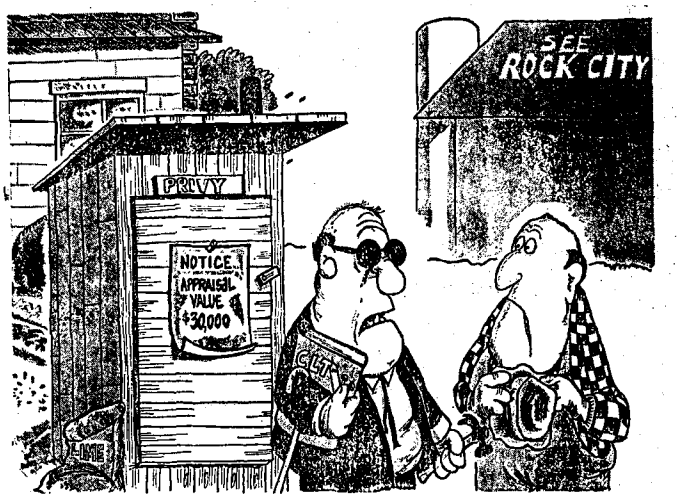
Barbatelli's statement that "each company manages itself, elects its own slate of officers, has its own Board of Directors, and fashions its own policy," is at best misleading. Five of the ten CLT officers and directors own stock in the holding company and thus have a direct interest in the success of American Appraisal Company (which accounts for 44 per cent of the holding company's receipts of more than $40 million). The five CLT officers and directors have almost $6 million invested in American Appraisal Associates and seven of the twenty-seven officers of the holding company have $257,210 invested in the success of CLT.

But CLT's conflict-of-interest problems are more than potential or theoretical. On January 16, the Nashville tax assessor, Clifford Allen, charged that twenty-one gas stations owned by major oil companies had been given assessments by CLT, which had been hired to do citywide reappraisals. That was as much as 60 per cent below fair market value. (Since all twenty-one stations had been bought after 1970, it was easy enough for Allen to determine their minimum market price.) Said Allen:

> This appraisal company had the purchase prices staring them in the face when they made the appraisals. These are not mere isolated mistakes made by some inexperienced appraiser. Rather, they are typical of the low appraisals which this out-of-state firm has placed on properties owned by the major oil companies throughout the country. They follow a consistent pattern and deliberate policy, obviously established by those in a policy-making position, to favor the big oil companies with low appraisals.

Allen, a past president of the International Association of Assessing Officers, also charged that a third of the 35,000 to 40,000 Nashville properties sold in the previous three years were appraised either too high or too low. (General assessment standards allow a deviation of 15 per cent from the purchase price of property sold within the previous three years.)

On February 13, Allen filed suit in federal court to enjoin CLT and the holding company from engaging in monopolistic practices, and requiring the conglomerate



Gamble (Nashville Banner)

to disclose the names of its corporate clients in Nashville. The class-action suit charged the conglomerate with conspiring to give large Nashville corporations tax breaks at the expense of home owners, farmers and small businessmen. Allen was prompted to go to court by a strong suspicion that at least some of the corporations favored with low assessments were AAC clients. While continuing to maintain there was no conflict of interest, AAC declined to list the names of its Nashville clients.

Allen's charges stemmed partly from the experience of his principal appraiser, William S. Nichol, who was assigned to work full time on CLT's assessments. In a sworn deposition taken for the suit, Nichol states:

> There are innumerable other parcels of rural property in the out-lying sections of the country, which are miles removed from any access to public water, sewers and other necessary public utilities that have been appraised by Cole-Layer-Trumble Company on pure speculative values, in violation of the express provisions of its contract and Sections 67-605 of the Code, at 100 to 200 per cent higher than the amount paid for such properties within the past one, two and three years by their new owners.
>
> By contrast, CLT's appraisals on large industrial and commercial properties are almost consistently low. This is true not only of the properties recently acquired by the major oil companies, twenty-one of which are appraised at more than 56 per cent below what the oil companies paid for them, but also with respect to innumerable other properties owned by large, national corporations such as make up the clientele of CLT's affiliate, the American Appraisal Company, Inc.

Nichol cited several examples of such corporate favoritism: a Sears-Roebuck store, built in 1969 at a reported cost of $2,661,000, was given a CLT appraisal of $1,755,030—a depreciation of $905,970. (Sears's concern for favorable assessments is suggested by the fact that each year it throws a party for the assessors at their national convention.) A J. C. Penney store was assessed in 1972 by the local Board of Equalization at $5,009,000; CLT appraised it at $4,309,890. A representative of the Oscar Mayer Meat Packing plant in Nashville admitted in sworn testimony before the Tennessee Board of Equalization that the plant cost $11 million to build; CLT appraised it at $7 million.

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When Nichol cited these underassessments as examples of poor CLT work, he had no idea which Nashville corporations were clients of AAC. Under court order, the firm in March released the names of its Nashville clients. J. C. Penney, Oscar Mayer, American Oil Co., Shell Oil, Chevron, Exxon and Mobil Oil were among those on the list.

CLT also ran into trouble on a $1 million reappraisal study in Westmoreland County, Pa., just east of Pittsburgh. On December 22, 1972, several tax groups, including Ralph Nader's Tax Reform Research Group, asked the Pennsylvania Attorney General to investigate the "irregularities" of the CLT assessments. In 1971, the tax groups charged, Richard Mellon Scaife purchased 178 acres in Westmoreland County for $589.55 per acre. CLT appraised the property at $132.65 per acre. Yet another 312-acre tract of Mellon property was appraised at 64¢ per acre. The former chairman of the assessment board in Ligonier Township, Westmoreland County, charged that CLT had increased appraisals on Mellon property by only 2 per cent, while non-Mellon property in the township was being appraised at an additional 40 per cent. A Chrysler plant, whose construction cost was $50 million to $60 million, was assessed by CLT at $10 million.

Troubled by the apparent irregularities, the Westmoreland County Comptroller and District Attorney ordered a study to be made of CLT's appraisal activities. The report concluded, among other things, that in many cases, CLT had simply copied the county's old assessment records; failed even to look at some buildings it was appraising; used nonprofessional employees who had been given only a few days of training in assessment practices; used assessment formulas invalid under Pennsylvania laws; broke various provisions of the contract; and failed to return maps and provide progress reports to the county. The Pennsylvania Attorney General's office is now investigating CLT's Westmoreland reassessments.

When Newcastle County in Delaware decided to update nineteen-year old assessments, it contracted with CLT for the job. The chief county assessor, David R. Reed, became suspicious of CLT's assessments of downtown office buildings and discovered that "apparently, some of the offices have taken tremendous cuts," according to the *Wilmington News-Journal*. According to Reed, who had worked twelve years for CLT before becoming Newcastle assessor, among the buildings which had been devalued were several owned by the Dupont Co. Less than three weeks later, a CLT official admitted that its sister subsidiary, American Appraisal Company, had performed work in Delaware for Dupont and other Newcastle County companies. (Dupont was also listed as an American Appraisal Company client in Nashville.) A month later it was reported that Dupont had persuaded CLT to reduce its original assessment of its property by $4 million. When assessor Reed asked CLT for data on which the reduced assessment had been made, the firm refused. In usual practice, such data are routinely made available to the public officials who contracted for the assessment study in the first place. The Newcastle County government has hired a new firm to assess the CLT assessments.

In the 1960s, West Virginia undertook a reassessment of all of the properties in the state. Cole-Layer-Trumble was engaged to do more than half of the work, including the industrial properties in Mercer, McDowell, Wyoming and Harrison Counties. As part of its work, CLT appraised properties owned by Consolidation Coal Company in these counties at $39.7 million. A year later, however, CLT reduced the coal company's assessed value by $12.3 million. The new assessments were distributed to the four county assessors without the knowledge of the state tax commissioner and other top tax officials. The state tax department learned of the new "Consol" assessments when one of the four county assessors called the state office and said he couldn't understand why the assessment had been reduced $3.6 million in his county when Consol had just built an expensive new plant. The state then decided to reassess Consol's property in the four counties, using its own assessors. The $12 million cut was restored.

A Fulton County (Atlanta), judge on April 9, 1971 voided all CLT assessments there on the basis that there was "potential discrimination. . . . There exists innumerable inequities and a lack of uniformity growing out of the reappraisals, between properties of the same classification."

In Cleveland, city officials were deluged with 48,000 complaints from home owners after CLT completed a reassessment. Many complained that inexperienced college students were making the on-site assessments. (CLT said this was common practice.) One woman's chicken coop was inaccurately appraised at $10,048. In Hamilton County (Cincinnati), the president of the county commissioners called the CLT assessments inequitable after more than 10,000 complaints were received.

It is difficult to generalize about mass-appraisal firms because very little is known about them. Some certainly have better records than does CLT; others probably have worse. Reassessing an entire metropolitan county—especially when it has been many years since the last assessment—is no easy task. Even when the appraisals are done well, the taxpayers are very likely to be irate when their property assessments jump 30 to 40 per cent in one leap.

Yet, there is little question that something is radically wrong with the mass-appraisal system used by most cities. Jonathan Rowe, the Nader Tax Group's property tax expert, believes that cities should avoid mass-appraisal firms and do the job themselves. He notes, for example, that in many states mass-appraisal firms may not be subject to conflict of interest criminal statutes, freedom of information statutes, or other laws designed to protect the public. Attributing much of the unpopularity of the property tax to infrequent assessments, Rowe wants states and local governments to develop a permanent, in-house assessing capacity, so that reappraisals of property can be made far more frequently, perhaps every year.

Unfortunately, few politicians in Washington have taken a serious interest in property tax reform. The extent of the Administration's interest was some noises about a Value Added Tax (in essence, a national sales tax), the receipts of which would have been used to reduce the property tax burden. The silent majority's reaction to the regressive VAT was deafeningly negative and the proposal

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was withdrawn. Sen. Edmund Muskie (D., Maine) began hearings last spring on property tax reform in his Inter-Governmental Relations Subcommittee. At the urgings of Rowe and others, he has agreed to hold hearings on mass-appraisal firms some time in the future. Muskie and Sen. Charles Percy (R., Ill.) have introduced legislation that would subject the mass-appraisal industry to federal regulation.

Muskie and Percy have also introduced legislation in the Senate, entitled "The Property Tax and Relief Reform Act of 1973," which, among other things, would provide grants and interest-free loans to state and local governments willing to make their assessment procedures more open, honest and professional.

A system of intelligent federal incentives to get local governments to reform their property tax structures makes sense. Unfortunately, most members of Congress and the Administration seem uninterested. "Nixon is always criticizing liberals for wanting to throw money at the problems," states Rowe, "and yet, how does he propose to revitalize state and local governments? By throwing revenue-sharing money at them. The mass-appraisal quagmire illustrates that it is going to take much more than federal money." □

ESTONIA: UPPITY SATELLITE

REIN TAAGEPERA

Some Estonian students were grouped around a television set, watching the Czechs beat the Soviets at ice hockey. "Who is winning?" a Russian student asked, and the Estonians replied, "We are." The Russian youth cried treason, since Estonia is part of the USSR, but the Estonians did not see why a forced incorporation should make them root for the Soviets. After the Czechs won the world title match, several hundred jubilant students at Estonia's Tallinn Polytechnic Institute took to the streets. Militia was called out to contain them. Fights ensued. Students threw tables and chairs out of windows and lit bonfires in the courtyard. Several students were arrested and many more were expelled. That was on April 20, 1972.

Four years earlier, when the Soviets were playing a more serious game with Czechoslovakia, the Communist Party organization at Estonia's Tartu State University was convoked to endorse the Soviet invasion. They refused, and a lifelong party member blurted out: *"Poodu majas ei räägita köiest!"*—in the house of the hanged man one does not speak of rope. But I had previously heard that same man eloquently defend Soviet rule in Estonia to a roomful of anti-Communists. I checked the story with another participant at the Tartu party meeting. He grew serious: "It's disturbing to hear that outsiders know about party matters which should not be known to nonmembers even in Estonia. Anyway, that man later retracted, and received only a light reprimand because everybody was so confused at the time." There was good reason to be confused.

In 1940, while the world was watching Hitler's conquest of France, Stalin marched his Red Army into Estonia. The move had been foreseen in the Nazi-Soviet pact of 1939. The Soviets organized elections, with all non-Communist tickets disqualified, and when a landslide in favor of the single remaining ticket was announced by the occupation army, nobody was in a position to demand a recount. Technically, Estonia was at that time what came to be called a People's Democracy, a separate Communist-ruled state, and during elections there had been no talk about joining the Soviet Union. Yet a few weeks later Stalin ordered the local Communists to ask for annexation. (There were only 500 Communists in Estonia, including those who joined the party after occupation.) With the shadow of the 1937-38 Stalinist purges hanging over them, they complied. Estonia became one of the theoretically sovereign republics within the Soviet Union.

By 1949 the Soviets had deported about 11 per cent of Estonia's population (in addition to wartime German occupation losses). The Estonian Communists may have objected; at any rate, virtually all native-born Communist leaders were purged in 1950 for alleged nationalism. They were replaced by Estonians who had grown up in Russia. These semi-foreigners still occupy all major party and government posts in Soviet Estonia.

After Stalin's death most of the surviving deportees returned and deliberate Russification of the native culture largely stopped. Yet denationalization of the country has continued through a massive influx of Russian-speaking immigrants who by now form a third of Estonia's population. Consumer goods became more plentiful in the cities, and more recently the collective farmer's life has also improved markedly. Industry has boomed, with partly undesirable ecological results. Local autonomy was increased in 1956, but has been decreasing again since 1960.

By Soviet norms the Estonians are doing rather well. Their living standards are higher than those of any other union republic except the neighboring Latvia. They have better than average incomes, more spacious housing, greater choice of consumer goods. They have a quasi-official status as a "laboratory republic," one where various techniques and administration methods are first tested. Estonia received polio vaccinations before Russia did. Its collective and state farms have been shifting to less centralized (and more profitable) management patterns. Estonia is in the forefront of the wide-scale computerization of the Soviet economy and administration.

By their own standards, however, the Estonians are

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not doing well at all, because their comparisons are with the West European rather than with Soviet norms. During the last 800 years Estonia has been under Russian rule for 250 years, but under German or Swedish rule for 500 years. The traditional religion has been Lutheran rather than Greek Orthodox; the Latin alphabet is in use. By 1900, literacy was higher than in France or the United States. From 1920 to 1940 the independent Republic of Estonia followed West European political patterns.

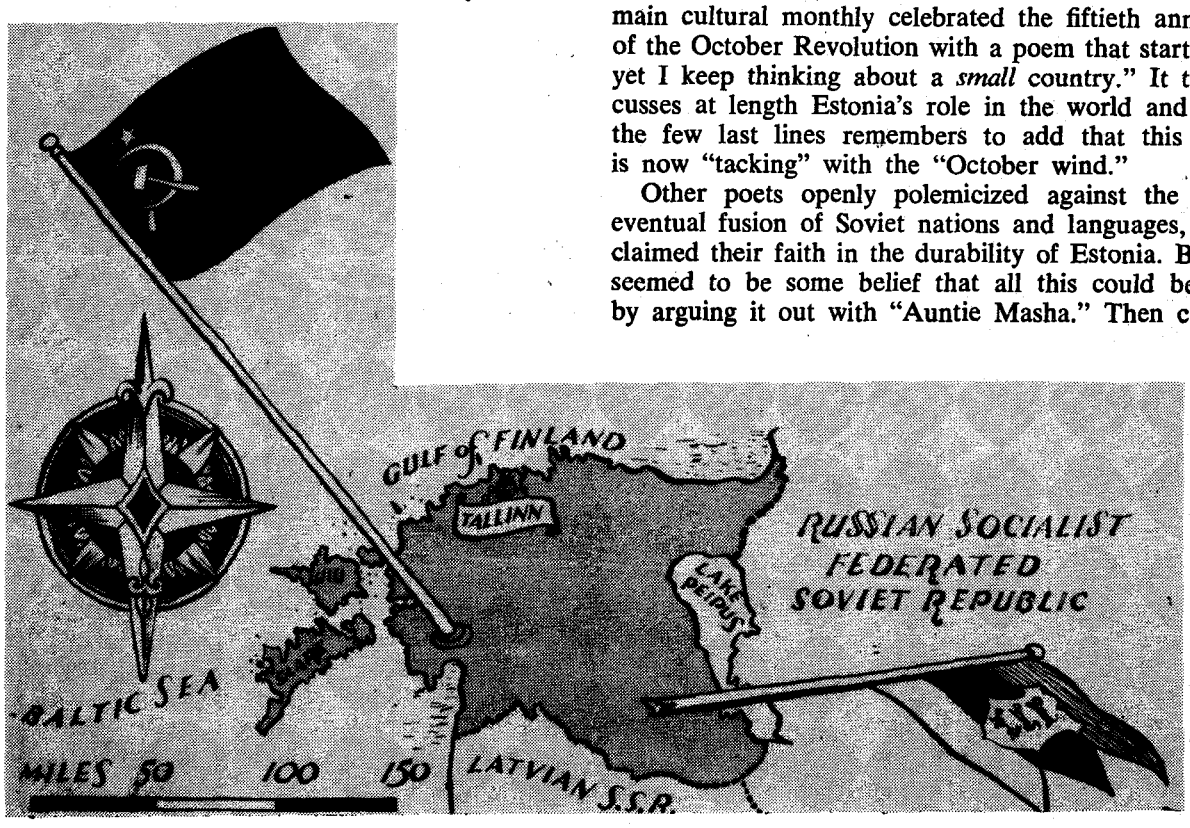
According to Soviet bookkeeping, Estonia's per capita national product is higher than that of Sweden, but Estonians feel that they have vastly less purchasing power than do the Swedes. Restrictions on travel and on intellectual and political activities are felt more acutely in Estonia than in Russia. The fact that Estonia's position as a "Soviet Scandinavia" attracts Russian vacationers and immigrants makes matters even worse, since this influx threatens to crush the very Western character of the country that attracts the Russians in the first place. Assimilation of immigrants tends to be slow because of the language barrier—Estonian is similar to Finnish, and these two languages differ drastically from almost all other European languages.

The Soviet Government, to some extent, recognizes the special Western character of Estonia, and makes minor concessions to it. Finnish TV can be legally viewed in Estonia, which is thus the only part of the Soviet Union where non-Communist TV can be seen (and understood!). Translations of Western writers and performances of Western plays and musicals are more frequent than in Russia. Estonians have seen or read works by Kafka and Ionesco (even Dostoevsky!) which have not become available to the Russians. *West Side Story* was performed in Estonia before it was done anywhere else in the Soviet Union. (The present most-performed play is *Oliver and Jennifer,* an Estonian-composed musical based on Erich Segal's *Love Story.*) Along with Lithuania, Estonia seems to be the only Soviet republic where the writing and performing of absurdist plays is marginally acceptable. Paul-Eerik Rummo's *Cinderella Game,* the most remarkable of these plays, has been performed in New York at the La Mama Theatre, but not in the Soviet Union outside Estonia. Estonians also manage to travel abroad more frequently than do Russians, but much less frequently than is the practice in Western Europe. The direct Estonian-Finnish boat connection is used almost entirely by Finns, and it constantly reminds Estonians that it is easier to get into Estonia than out.

Despite these limited concessions, most Estonians think that they could do better without continuous bossing by the Russians. That does not mean that they would necessarily want to turn back from socialism to capitalism, but if socialism is to stay they would prefer to have it with a more human face. If the Russian bossing could be subdued by implementing true federalism within the Soviet framework, many might be satisfied and would cease to toy with the dangerous idea of getting Estonia entirely out of the Soviet Union. On the other hand, fusion into a Russian-speaking "Soviet" nation is completely unacceptable—Moscow's recently increasing insistence on "accelerated fusion" is only aggravating discontent.

Six years ago Estonia's main cultural weekly published an innocuous-seeming poem about a kindergarten teacher Masha (a Russian name) who was good at heart but who was ineptly bossing the children (all with Estonian names) instead of teaching them. The initials of the children formed the Estonian word for "nation." Estonia's main cultural monthly celebrated the fiftieth anniversary of the October Revolution with a poem that starts: "And yet I keep thinking about a *small* country." It then discusses at length Estonia's role in the world and only in the few last lines remembers to add that this country is now "tacking" with the "October wind."

Other poets openly polemicized against the idea of eventual fusion of Soviet nations and languages, or proclaimed their faith in the durability of Estonia. But there seemed to be some belief that all this could be settled by arguing it out with "Auntie Masha." Then came the



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invasion of Czechoslovakia. Auntie Masha was either wicked at heart or stupid beyond reasonable limits. Poetic criticism faded; perhaps because censorship became stronger, but also because there was loss of faith in such methods. Instead, an underground "Estonian National Front" was reported last year by *Chronicle,* the famous Moscow underground paper.

Little is known about this national front, except that it demands a referendum for Estonia's self-determination, and has published several issues of an underground magazine, *Eesti Demokraat* (Estonian Democrat). Besides the Soviet external and internal crackdown of 1968, the 1970 census may have boosted this underground activity. Estonia was found to have 30,000 more people than had been estimated, and all of them were Russians. Estonians still formed 75 per cent of the population in 1959, by 1970 they were 68 per cent, and immigration was, if anything, on the increase. From the viewpoint of the intellectuals, the 5,000 years of Finnic language (as suggested by archeological evidence) and 800 years of West European culture were seriously threatened. As for the common man, he often finds that Russian immigrants are moving into the new housing he was scheduled to get, that Russian tourists are less interested in looking at monuments than in raiding the stores for scarce goods, and that the bureaucracy is being manned increasingly by people who do not understand his language.

It does not seem that the Soviet regime actively organized this immigration, with its overtones of cultural genocide. They just allow it to happen, as they allow Estonia to have its Estonian-language universities, press, TV and theatres. But Moscow is insisting on economic centralization, even if that runs counter to local interests, cultural or ecological. By both accounts, Estonia is already overindustrialized. But the fake "progress" represented by ever more smoking chimneys and immigrant workers continues, despite popular resentment and timid remonstrations from the few Estonian-born party leaders.

The hopes of those Estonians who believed their country's problems could be worked out within the Soviet framework have been repeatedly dashed. The Stalinist deportations and purges still remain the absolute low point, a period young Estonian intellectuals consider a "historical gap" in the country's cultural development. But the hopes for de-Stalinization have not been fulfilled. Around 1956 many young Estonians began to join the Communist Party—an act that had previously been widely considered national treason. They hoped to achieve something by agreeing to play the game according to the Russian rules; they partly believed in Marxist ideals, and hoped to implement true federalism. But while Khrushchev vacillated between greater autonomy and recentralization, under Brezhnev it has been slow but steady centralization. On February 14, Estonians could read in their principal daily that recentralization of the economy under Moscow's control "enhanced the rights of the union republics." Auntie Masha was indulging in Orwellian doublespeak, eleven years ahead of 1984. Talking with her about true federalism within the Soviet Union felt like talking to a wall. But returning to the Western world was unrealistic and, in view of the West's recent problems, less attractive than it once was. There remained the alternative of a Communist Estonia *outside* the Soviet Union.

In 1971, the idea of an Estonian "People's Democracy" on the pattern of Poland or Bulgaria was for the first time openly attacked in the Soviet Estonian press. By 1972, Soviet Estonia's Byelorussian-born President joined in the attack, formally leveled against the Estonian anti-Communist exile "establishment." However, the real target must have been within Estonia itself, since the exiles are predominately hostile to the solution of a People's Democracy, because that would make communism more acceptable to the population and quash the last exile hopes for a capitalist restoration. Indeed, Soviet Estonia's President concluded his attack by acknowledging that "manifestations of national uppishness and narrow-mindedness can sometimes be observed among us."

An Estonian "People's Democracy" actually did exist for two brief periods: in 1918, when it was defeated by the proponents of Western democracy, and in 1940, when it was a way station toward annexation by the Soviet Union. Khrushchev seemed to be toying with the idea of re-establishing it, before the Hungarian revolution gave him pause. Yet in Estonian Communist Party circles the matter kept reappearing. Several independent sources confirm that in 1967 Vambola Põder, foreign information chief of the Estonian Communist Party, ridiculed the idea of a People's Democracy in a talk he gave to Communist writers. However, in the discussion that followed, several writers voiced the opinion that a separate Estonia was worth serious thought. The open Soviet criticism of such thoughts since 1971 can have two meanings. In the wake of the 1968 disappointments, the talk of a People's Democracy in Estonian party circles may have become so widespread that it could no longer be ignored. But it may also be that the Soviets are gradually coming to accept the idea. There are precedents for believing that open attacks serve as a transition phase. Exiled Estonian writers were ignored until 1956; then in the 1960s they were selectively published in Soviet Estonia.

De-annexing Estonia would, indeed, offer definitive advantages (as well as disadvantages) for the Soviet Union. Estonia has been an unquarantined source of Western thinking inside the Soviet Union. Soviet dissidents frequently go there to charge up their mental batteries. (Solzhenitsyn used to visit regularly.) This undesirable social permissiveness is counterbalanced by economic and military considerations, but Estonia's GNP is only 0.8 per cent of the Soviet total, and its strategic value has become minimal with the introduction of ICBMs. Arguments about Soviet colonialism in Estonia still flare in the United Nations, tarnishing the Soviet image as a champion of anti-colonialism. Estonia's annexation has not been formally recognized by several Western countries, including the United States. An Estonian People's Democracy would not bear the obvious stamp of annexation and colonialism, and its recognition by the West would remove a minor but perennial friction point. At the same time effective Soviet military and economic control could be largely maintained.

A major reason for de-annexing Estonia lies in Soviet

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population projections. Less than half of Soviet babies are Russian. In twenty years or so, the Russians will be a minority in the Soviet population; in 1959 they were 55 per cent. Yet the Russians are the cement which holds the Soviet Union together. In twenty years there will be less cement for more bricks, and the precarious stability of the structure may be upset unless some non-Russian areas are expelled. If this course is to be followed it would have to be adopted before the nationality imbalance becomes acute. Because of their late annexation date, Estonia, Latvia and Lithuania are the only areas that could be transformed into People's Democracies outside the Soviet Union without triggering a chain reaction among the other non-Russian republics.

From the viewpoint of the Western nations de-annexation of Estonia would be a welcome step toward relaxation and settlement in Europe. The European Security Conference offers a logical forum for discussing this issue. Indeed, this conference would do a less than complete job if it did not solve the Soviet-Western disagreement regarding the status of the Baltic republics. However, open Western requests for de-annexation would be counter-productive. De-annexation is a painful step that a state can afford to take only when it can act from a position of strength and without losing face.

Western nations can help the Soviet Union by quietly refusing to recognize the annexation, and by stating that they would not take advantage of a de-annexation. The change should be heralded as a mark of strength and self-confidence by the Soviet Union, and as a sign of success in the relations between the Socialist nations. Since Estonia is legally a sovereign republic now, both from the Soviet and the Western viewpoints, the legal *status quo* would not be affected.

The recent Soviet Estonian willingness to discuss de-annexation (even in negative terms) suggests that it may become possible, if the Western nations choose to co-operate. And then Estonian students may even occasionally root for the Soviet team during a Czech-Soviet hockey game. □

Sewage: The Surprising Resource

WESLEY MARX

Pollution is often the most conspicuous product of a sewage treatment plant, but some plants now produce lakes, greenbelts, golf courses, orchards and fresh-water aquifers (underground accumulations) on order. This change stems from water reclamation, a kind word for sewage salvage. Water reclamation may even outstrip weather modification, sea-water conversion and other techno-promotions as our most feasible new water resource. It is already successful enough to attract opposition from vested interests and exploitation by eco-pornographers.

Historically, sewage salvage is old hat. In modern times, however, one-time use of water has been regarded as more civilized and sanitary, even though ever lengthening aqueduct-dam systems and sewage outfalls are required. Reclamation has been regarded as too costly and/or unacceptable; i.e., the same public that calls Lake Erie, the Mississippi and the Colorado fresh water is thought too squeamish to reuse treated effluent. Thus while river water may be used six or seven times before reaching the ocean, the United States has traditionally reclaimed less than 1 per cent of its effluent.

Changing demands in both water management and sewage treatment now make water reclamation more plausible. Forever lengthening dam-aqueduct systems can become an economic and political dead end. Water-rich regions resent having their environment turned upside down to preserve ten-minute showers, car washes, water beds and 7-gallon toilet flushes in water-gluttonous urban complexes. Sea-water conversion, weather modification and the diversion of polar icebergs are not shaping up as reliable ways to prolong single-use water management. As has been pointed out by numerous observers, the trouble with sea-water conversion is that the oceans, unlike rivers and lakes, are too damned low: demineralize the ocean and you still have to pump it uphill before somebody can drink it or flush it.

Meanwhile, back at the sewage treatment plant, costs escalate as pollution standards become tougher. The receiving waters—the nearest lake, river or ocean—can no longer be counted on to subsidize cut-rate purification. And the more you elongate the sewage outfall, the more likely you are to bump into somebody else's outfall plume. Treating for reuse rather than disposal becomes economically more attractive.

Sewage treatment divides into primary, secondary and tertiary (or advanced) levels. Primary generally removes settleable and floatable material from raw sewage: the "gross screen" effect. Secondary employs biological oxidation to break down organic matter, often measured as biological oxygen demand (BOD). High or low BOD levels, fecal bacteria, residual waste nutrients such as nitrogen and phosphorus, mineral salts and viruses can still be present after secondary treatment, and all can require additional or advanced treatment in water reclamation projects. Fortunately, advanced treatment often doesn't need to be very advanced technically; it depends on the intended reuse. The main obstacle to water reclamation is more institutional than technical; some water management agencies are as visionary as cavalry officers.

One of the world's most beautiful parks shows just how modest water reclamation can be. Golden Gate Park in San Francisco once consisted of windblown sand dunes; its soil requires considerable irrigation and conditioning to sustain fuchsias and New Zealand ferns. To avoid the high cost of domestic water, John McLaren,

Wesley Marx, a member of the California Attorney General's Environment Task Force, is the author of The Frail Ocean *(Coward-McCann) and* Waste *(Harper & Row).*

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the park's legendary planner, breeched a sewage main destined for the Pacific Ocean to irrigate his sand dunes. When neighbors complained about odors, the sewage was passed through a small secondary treatment plant.

Chlorination was used to counter fecal bateria but not in amounts harmful to fuchsias or to goldfish in ponds nourished by treated effluent. Some ponds accommodate recreational boating. Since no treatment beyond secondary is required, costs remain highly competitive to imported domestic water, and additional treatment could even be detrimental. The residual waste nutrients which can trigger algal blooms in waterways can help condition soils.

Irrigation of crops, golf courses and parks have thus become common ways to use reclaimed water, particularly in the semi-arid Pacific Southwest. Little or nothing is required in the way of advanced treatment or public acceptability, since the public is not exposed directly to the reused water. Most visitors to Golden Gate Park assume that the flowers and the ponds are nourished by San Francisco's regular water supply. There is no reason for them to think otherwise.

Better treatment and monitoring technology can expand the horizons of water reclamation. The trout lakes of the California Sierras are traditionally nourished by spring thaws. However, to trace the source of Indian Creek Reservoir, you follow a 27-mile pipe over a mountain pass, down a rocky, 1,000-foot descent and to the door of the South Lake Tahoe Utility District's advanced treatment plant. People as well as fish swim in the reservoir; treatment is thorough enough to meet the water-contact specifications of the California Department of Public Health.

Near San Diego, the Santee County Water District processes community effluent to nourish a chain of small lakes that attract 300,000 people annually. While pollution prevents water-rich New York City from fully utilizing the Hudson River waterfront, semi-arid Santee enjoys such benefits by exploiting its sewage.

The treatment capacity of these pioneer water reclamation plants is pretty modest compared to the sewage production of most urban areas. Indeed, most urban areas are too long on sewage production and too short on open lands to accommodate recreational lakes, extensive greenbelts and other water reclamation blessings. Such reuse might be thought of as expanding an area's water potential rather than as reducing demands for such needs as domestic water. The true significance of the Santee Lakes and Indian Creek Reservoir extends beyond their recreational pleasures. Unlike visitors to Golden Gate Park, visitors to these lakes are informed of the water source. Their popularity indicates that the safety of water, not its source, is what sticks in the mind.

There is no clear professional consensus on the degree to which existing reclamation and monitoring technology could adequately safeguard direct introduction of treated effluent into domestic water systems. Caution is obviously warranted. One bad incident, because enthusiasts pushed too hard without adequate monitoring, could plunge water reclamation into a controversy as debilitating as that which surrounds fluoridation. However, the groundwork for this next step is being laid. Treated effluent from a plant operated by the Los Angeles County Sanitation Districts is spread over a dry creek bed and allowed to filter downward to recharge ground water depleted by agricultural and urban overdrafts. Reports Districts Manager John Parkhurst:

> So efficient is this filtering mechanism that limited observations showed complete removal of fecal bacteria and viruses within a few feet of travel even without the use of chlorine. . . . Recharge by spreading has the advantage of mingling and diluting the renovated water with natural ground waters to accomplish complete loss of identity and permit its reuse for any and all purposes when later withdrawn from wells.

The capacity of this pioneer Whittier Narrows Water Reclamation Plant—14 million gallons daily—begins to approach the scale of urban sewage production.

Industry is another potential recipient of reused water. Some industrial uses, such as cooling, require little treatment. Bethlehem Steel uses Baltimore's secondary effluent; Kaiser Steel in Fontana, Calif., reuses its own waste waters. Besides being economically sound, such reclamation can ease the workload of factory public relations officers harried by pollution headlines. The Environmental Protection Agency (EPA) is supporting an $11 million research project in industrial waste-water recycling. Manufacturing processes under study include steel, pulp, soybeans, beet sugar and leather tanning. While not as glamorous as greenbelts and lakes, such reuse will make a far greater impression on the conservation of water resources. Nationwide, gross-water withdrawals for manufacturing and for thermal power (principally cooling) are more than ten times that for municipal consumption. What with water reclamation and the proliferating injunctions against thermal discharges, the future looks very bright indeed for the cooling tower industry.

While water-short areas such as Southern California, Arizona and Texas have been the water reuse pioneers, the dual benefits of water reclamation in conserving our waterways, as well as our water resources, is attracting national interest. Lake regions are particularly sensitive to the disposal of sewage since they lack the circulation turnover of rivers or coastal waters. In the Great Lakes region, sewage agencies in Chicago, Lansing and Michigan's Muskegon County are involved in large-scale pilot projects to divert treated effluent to agricultural fields. Once again, the bane of the waterways, waste nutrients, can become an advantage on land. In Florida, the city of Tallahassee irrigates crops with treated effluent. A program announced by St. Petersburg Public Works Director Lloyd Dove would divert treated effluent away from sorely pressed Tampa Bay and onto greenbelts and into depleted aquifers threatened with salt water intrusion. Temporarily reprieved from a howling jetport, the Everglades may dry up and burn up because of upstream watershed diversions. A team of University of Miami researchers suggests that Miami's prodigious sewage production, which now contaminates the Atlantic, could be treated to keep the Everglades wet. Extensive removal of waste nutrients, a necessity in such a scheme, is being accomplished at South Tahoe.

The expansion of water reclamation reveals problems as well as potential. A dual pipe system is generally

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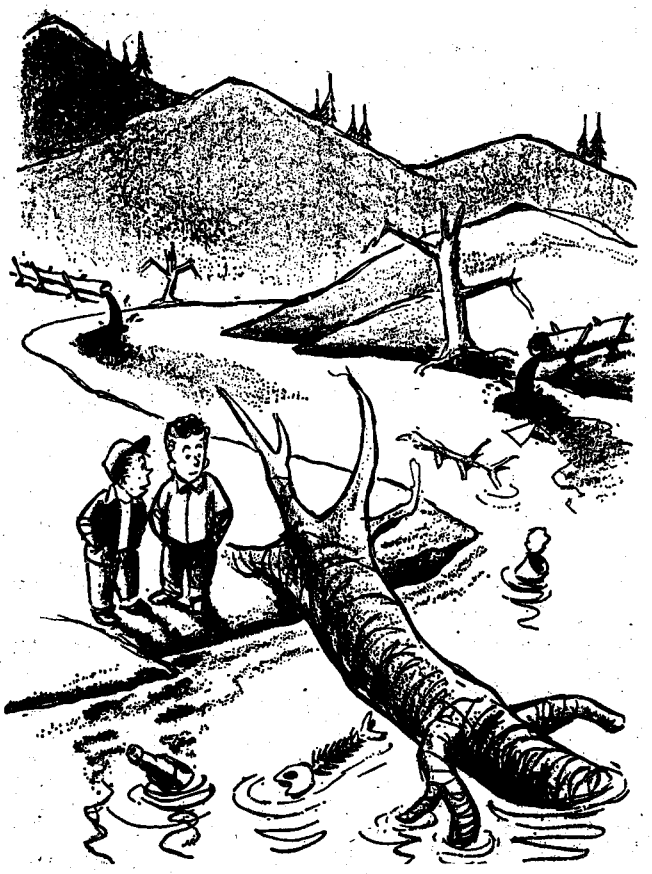

Mauldin (Chicago Sun-Times)

"My Granddad Says This Sewer Used to Be a River"

required to separate reclaimed water from domestic water. By using warning labels and locks, Golden Gate Park has been able to control errors in tapping of reclaimed water outlets. While technology to remove waste nutrients advances, the removal of mineral salts has not progressed as fast. That is why sea-water conversion has been so slow to achieve its highly publicized expectations. Water picks up mineral salts with each reuse, and this "concentrative pollution" puts a limit to continued recycling. Any technical breakthrough in demineralizing the oceans will probably have its greater effect in water reclamation, since treated effluent has less minerals to begin with, and cities without oceanfront still have sewage to fall back on, mineralized or not.

While still in its infancy, water reclamation has achieved enough success to be worth exploitation, particularly by agencies in need of an instant environmental image. Cities feeling pollution heat from state and federal officials may change the name of their local sewage pollution plant to "water reclamation" plant and wait for farmers, golf course operators and park superintendents to hook into the outfall. A heavily chlorinated pond may be showcased near a major highway for 60-mph viewing pleasure. The California Regional Water Quality Control Board—San Diego—has had to enjoin "water reclamation" agencies that were recycling only their own bullshit.

Big land developers who can't hook up to overloaded metropolitan sewage systems may suddenly be seized with water reclamation visions. Up goes a small treatment plant and a sprawling golf course. But the capacity of the golf course to absorb the sewage is soon exceeded, and the new residents find themselves socked with sewer assessments. This sort of eco-pornography is reaching an apogee in Orange County, where a group of major landowners eager to take advantage of Los Angeles' population overspill have established special water and sewage districts. California law permits landowners to control such districts and float bond issues to sewer the land without approval of voters. The districts involved—the Irvine Ranch Water District and Aliso Water Management Agency—have found an additional source for front-ending suburban real estate speculation: the federal clean water grants dispensed by EPA. While this fund was established by Congress to clean up existing sewage treatment problems, the districts are applying for millions of dollars of aid to finance water reclamation systems to serve their "model cities of the future." Some of the reclamation proposals appear worth implementation, although it is highly questionable whether you need to project a local population of 900,000 in twenty-five years, which is what these landowners prophesy. It is also questionable whether, given the nation's many outstanding water pollution problems, these funding proposals should receive priority status, as has been given them by the California Water Resources Control Board.

As it happens, the EPA is charged with cleaning the air as well as the water. The massive development by landowners would occur in the South Coast Air Basin, which has the nation's worst photochemical smog problem. The EPA, which classifies this basin as a critical air shed, says gas rationing may be required to render the air healthy. Colorful environmental impact reports have been issued claiming the "planned expansion" of 900,000 people and 300,000 or more autos won't affect the air quality, or lack of it. This optimism has been found inadequate and incorrect by the California Air Resources Board. To protect itself from such new-found friends, EPA plans to limit waste-water treatment grants for excess capacity in critical air-shed areas. Whether this will be sufficient remains to be seen. The law firm retained by the Aliso Water Management Agency is Kalmbach, DeMarco, Knapp & Chillingworth, the Kalmbach being Herbert, President Nixon's personal lawyer.

Some water management agencies find it in their interest to belittle water reclamation. The Metropolitan Water District (MWD) of Southern California supplies water to that region by tapping watersheds of other regions, such as the Colorado Basin and Northern California. MWD press releases tend to downplay water reclamation as a nice but inconsequential form of water management, hardly in a class with mammoth diversion schemes that soak up one region's environment to prolong another region's single-use water gluttony. This slight regard for water reclamation can slip into outright hostility. MWD has rebuffed requests by water reclamation agencies for delivery of water low in mineral content to dilute reused water and thus extend the available water supply. Requests for additional water allotments for ground-water storage have sometimes been rebuffed in favor of building costly reservoirs subject to evaporation and the seismic hazards of California.

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The MWD's attitude reflects the boundless idiocy of single-use water management: who needs water conservation when there will always be another wilderness watershed to wring dry, even if one has to go to the North Pole? However, other water agencies, some with the same background as MWD, are beginning to see the light. Recently, new water diversion schemes targeted for three Northern California watersheds were postponed because of lessened water demand in Southern California. One of the reasons given by MWD for lessened demand was increased reuse of water, even though reclamation is in its infancy. Retail water agencies not only regard reclamation as logical but as one way to reduce their reliance on the faltering water lords. Wilderness watershed regions are also beginning to rebel. They are offering the water lords an alternative source: their sewage. The three Northern California rivers that have been spared dams can continue to provide salmon runs, ground-water recharge, sand transport for beach nourishment and other public services free of charge.

Public agencies with the power to reform single-use water management are also beginning to respond. The California State Water Resources Control Board, in issuing new water right permits, takes into account present and future plans by the applicant for fully utilizing available water supplies, including reclamation. Such a perspective should help induce mergers of water and sewage districts into one planning and policy-making entity, thus ending the foolish tunnel vision that spawns water wasting. State and federal authorities have a powerful means of inducing such a perspective, the granting—or the withholding—of sewage and water construction grants.

Water reclamation is thus stimulating institutional reforms keyed to an emerging era of limited resources. In time, water reclamation may help to turn urban complexes away from a virgin extraction and throwaway economy to a more enlightened recycling economy, of solids as well as liquids.

On the international level, Israel and South Africa are deep into water reclamation, in part because of the obvious political difficulties in generating regional water diversion schemes. Islands are prime reclamation candidates. The Virgin Islands, which barges water from Puerto Rico, now have an EPA water reclamation grant.

Aid programs to less developed countries might encourage water reclamation instead of just more dams and outfalls: why not let these nations leapfrog our environmental mistakes? Reclamation may not be as politically glamorous as dam building, but such countries are beginning to realize that even the Aswan Dam is by no means an unmitigated blessing.

Reclamation is, of course, no more of a panacea for water problems than are 100-mile-long aqueducts or 7-mile-long ocean outfalls. The National Industrial Pollution Control Council reports that gross water withdrawals in the United States will exceed the maximum possible supply shortly after 1980. Not even reclamation can stave off the consequences of this gluttony. We must learn that there is a bottom to the well, even on a whirling celestial body distinguished as the Watery Planet. □

RANK & FILE IN STEEL

NEVER A KIND WORD FOR ABEL

GEORGE BOGDANICH

I'd like to see democracy exercised to the fullest in our union or any other union, but democracy in the labor movement, as in various segments of life, can be carried to an extreme.

—I.W. Abel, President
United Steelworkers of America

Gary

Like their counterparts in the coal fields, steelworkers have found that change does not come easily to their union. The United Steelworkers of America (USWA) was organized by members of the United Mine Workers in 1937 under the direction of John L. Lewis and Phillip Murray, who became its first president. Among other things, the mine workers endowed the steelworkers with a top-heavy union structure, a legacy of corruption on lower levels of the union, and a constitution which presents an obstacle course to reformers.

Inevitably, the general state of the Steelworkers union is personified in the mind of the rank-and-file members by its president, I. W. Abel. Many of my friends and relations have worked at the Gary works of United States Steel all their lives. I myself have worked off and on at various steel mills in the area, and have served as editor of a community newspaper which covered union events. I have yet to hear any steelworker say a kind word for I. W. Abel.

It was with great interest, then, that I read *Right to Challenge* by Washington labor reporter John Herling, a book which lauds Abel and the "democratic process" within the United Steelworkers of America. Noticeably absent from the book are an adequate discussion of basic steelworker issues and interviews with rank-and-file steelworkers. The book's attempt to portray Abel as a progressive, "a different stripe of union leader" from the authoritarian and conservative David J. McDonald whom he replaced in 1965, is based on Abel's as yet unfulfilled promises.

George Bogdanich, a free-lance journalist, specializes in labor news from the Chicago-Gary area.

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Herling suggests that the Abel-McDonald contest "revitalized the union's internal processes" and "counteracted the creeping apathy" within the union. If there was a revival of democratic spirit during the 1965 election, it has been short-lived. As in the United Mine Workers, district directors are allowed to run their districts as personal fiefs in return for support for the international union officers and policies. Attendance at union meetings is more often than not very sparse, and the meetings of large locals in particular are a model of what democracy is not about. The president of Local 1014 (United States Steel Gary Works), which has 14,000 members, recently suspended the union rights of fourteen members for "slander," because they questioned him publicly about possible misuse of union funds.

Though discontent runs deep in many areas of the union, it is not quite rebellion. A lifetime of defeats has seasoned some steelworker activists, but it has made pessimists of many more. Young workers, white and black, rise to militancy from time to time, but are more often apathetic, being unconvinced that change is possible.

It is at the lower levels that the process of democracy within the union has broken down most grievously. District 31 (Chicago-Gary) is by far the largest and therefore politically most important district in the Steelworkers union. It includes 130,000 members from 297 locals, and its influence in the region is enormous. For more than thirty years, the district has been run by Joseph Germano, whose support has been a cornerstone of the power of USWA presidents from Phillip Murray to I. W. Abel. Although district directors are elected in the Steelworkers union, Germano has had no opposition for twenty-five years.

His rise to power is the classic story of an old-style labor boss. Like mentor Murray, Germano sought and received support from radicals and Communists during the CIO organizing drive only to drive them out again once he became entrenched. Having the ability to reward local union presidents with staff jobs, Germano has used both stick and carrot to keep would-be challengers in line. Though only a handful of radicals survived in the union after the early 1950s, Germano has used their presence to Red-bait any major opposition in the ranks since then.

Germano must retire on May 1, and last February an extremely bitter election fight for his post took place between a young reform candidate, Ed Sadlowski, and Germano's hand-picked successor, Assistant Director Sam Evett.

The campaign is an example of the obstacles that rank-and-file movements face within the Steelworkers union. Though both candidates were union staff men, their background and philosophy reflected the difference between reform currents in the ranks and the hierarchy of the union's Old Guard.

Evett, a second-generation union bureaucrat who never worked in a steel mill or ran for union office, had been expected by the local press to be a shoo-in. He had the support of Abel, Germano and sixty staff men (only one dared to come out for Sadlowski). Evett also had money from staff men, who had been informally assessed $500 apiece, and from the coffers of the nefarious Lake County Democratic Party political machine with which District 31 has enjoyed a mutually protective relationship over the years.

The reformers had other strengths. The unpopular policies of Abel and thirty years of accumulated resentment against the Germano machine worked in Sadlowski's behalf. He was respected by many rank-and-file steelworkers whom he had served as a staff representative and as president of Local 65 (United States Steel South Works in Chicago), a post to which he had been elected at the age of 25. With only small contributions, Sadlowski put together an army of discontented steelworkers, white, black, Latin, men and women who combed the plants and foundries of Chicago and a cluster of nearby industrial cities.

As early as the November nominations, Sadlowski's strategists talked of "winning by enough so they can't steal it from us." I was amazed that Sadlowski's supporters had resigned themselves to the inevitability of major vote fraud. I was told that local union officials would "do anything necessary" to insure election of the machine candidate, taking their chances that the challenger would not carry his case into court, a costly process that would run at least two years.

"If we're not leading by several thousand votes by the first day," I was told, "they can steal the rest in the big Gary locals, 1014 and 1066."

By mid-afternoon on election day the Sadlowski forces were cautiously optimistic. A fairly large turnout of voters in several areas of Sadlowski's strength was evident, though reports of election violations began to come in from a number of locals and Sadlowski's observers were physically blocked from carrying out their duties in several places. By night time Sadlowski was several thousand votes ahead of Evett, but his supporters began to fear the worst from Locals 1066 and 1014, two locals with a murky history of vote fraud. The designated observer had failed to show up at the Local 1066 polling place, later claiming threats had been made on his life. At 1014 an assortment of violations had been reported: ballot stuffing, voting of nonunion members, etc. The numbered ballots were not being issued sequentially to voters and Sadlowski's observers had difficulty accounting for ballots.

The day after the election Sadlowski was still leading, but barely. Although most of the large locals had already counted their ballots, the two Gary locals remained. The counting was held up for a third day, when the inevitable was announced: Sadlowski had lost and Evett had won.

Sadlowski has filed complaints with the international union in Pittsburgh, and is determined to take the case through the courts. Meanwhile his supporters fear that he will be transferred to another district or fired.

In almost every respect Abel has come to resemble his predecessor, McDonald. Elected on a promise to "restore rank-and-file control over basic policy," he has opposed the right of members to ratify contracts, the right of local unions to strike for the duration of the basic steel contract, their right to elect staff representatives, and roll-call votes at Steelworker conventions. These are rights which steelworkers have demanded since the union was first formed. Though prior to the 1965 election Abel

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decried his predecessor's general wage settlements, under his administration steelworkers have lost ground relative to auto and other industrial workers.

Blacks, who now constitute about a third of the membership and who provided Abel with a victory margin in 1965 and 1969, have become increasingly unhappy with broken promises from the union leadership. Irked by the lack of high-level black representation in the union, the black Ad Hoc Committee pleaded with Abel in 1968 to create another vice-presidential position, so that he could appoint a black to the international union's executive board. Having at first refused to meet with black leaders, Abel agreed to receive them after he was picketed by the Ad Hoc Committee. He then told them that he "sympathized" with the black demand, but felt that appointment of an additional vice president would be "undemocratic." Blacks got a sample of Abel's true feelings last September when a black staff representative, Sam Stokes, performed the somewhat remarkable feat of winning nomination in 400 locals (120 are required) as a candidate for international union vice president, to succeed the retiring Joseph Molony. Stokes's nomination was invalidated on the ground that he had fallen behind in his dues in 1968 while in the hospital. Stokes has gone to court, but District 27 director, John Johns, ran unopposed in the election February 13.

Liberals and progressives in the USWA who supported Abel in 1965 have also had much to regret. Herling concedes in *Right to Challenge* that Abel let himself serve as a bulwark in AFL-CIO President George Meany's attempt to undermine the mildly progressive influence of the late Walter Reuther within the labor federation. According to Herling: "Meany saw the possibility of drawing Abel away from Reuther. He recognized that Abel was essentially a team player. He now began to make every effort to include Abel as a member of the AFL-CIO's Executive Council in his most intimate conversations. . . . Meany had made it clear that Abel would rise as Reuther's position receded."

When Walter Reuther urged that the AFL-CIO provide help to Cesar Chavez's United Farm Workers Union, Meany appointed Abel to the committee rather than Reuther. Since then, Abel has received a number of high-level appointments from Meany and is considered a possible successor. In return, Abel has unswervingly supported Meany's policies from domestic issues to the war in Vietnam.

Most Americans saw I. W. Abel for the first time as they watched the 1972 Democratic Convention on television. As a delegate for Henry Jackson, the steel chief bitterly denounced George McGovern in a speech carrying cold-war overtones. A further implication was that McGovern was an "anti-labor snob," though the Democratic candidate's labor rating by the AFL-CIO's own Committee on Political Education was one of the best in the Senate. Abel, like Meany, advanced the notion, echoed by Republicans, that the McGovern reformers had "hijacked" the Democratic Party, ignoring organized labor in the process. Ironically, the designated labor delegate to the early hearings of the McGovern-Fraser reform commission had been I. W. Abel, but he chose not to attend a single meeting.

I. W. Abel

Perhaps the most important reason for McDonald's defeat by Abel was that McDonald became identified with steel company management. Dressed in a tuxedo, McDonald toured steel mills with steel company executives, promoting what he called "mutual trusteeship" or union-management harmony, and infuriating steelworkers.

While campaigning against McDonald, Abel expressed the sentiments of many rank-and-file steelworkers who challenged McDonald's philosophy of mutual trusteeship: "So long as management is primarily concerned with profits, the interests of management and labor cannot be identical . . . and while we will not be unsympathetic, we believe the primary function of the union must be to represent the membership."

Unfortunately, Abel has come full circle in his views on mutual trusteeship. The 1971 basic steel contract contains a highly controversial "productivity clause" which links future wages and benefits to the long-term prosperity and efficiency of the steel industry. In addition, the productivity clause commits local union leadership to meet regularly on the problem of "increasing productivity" and "promoting the use of American-made steel," to "achieve uninterrupted operations in the plants."

The effects of the productivity committees have been disastrous to individual steelworkers. Shortly after the 1971 contract was signed the steel companies introduced a massive speed-up campaign as a result of which thousands of jobs were eliminated or combined. By tradition,

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the union could be expected to resist job elimination, but participation in the "productivity" drive has largely removed the local union leadership from this vital role.

Hence, the international union is having a difficult time selling the foreign-import threat to steelworkers by warnings of possible job loss. Recently a movie, *Where's Joe?*, co-sponsored by the USWA and the major steel companies and stressing productivity, was viewed by a somewhat hostile audience of steelworkers from the Northwest Indiana mills. *Where's Joe?* tries to frighten the American steelworker into thinking that "Joe" lost his job because of competition from "Hans" or "Oda," who, by outworking Joe, enabled German and Japanese steel companies to undersell their American competitors.

"They got to be kidding," is the typical reaction of steelworkers, especially younger ones. The questions arise again and again: If the international union is concerned about jobs, why is it collaborating with steel management in the speed-up campaign? If American steel companies are really afraid of being undersold, why do they keep raising prices?

Even if one accepts some aspects of union-management cooperation, there is little that steelworkers can do to increase productivity, which depends mostly on modernization of equipment and reduction of waste in management. There is no question that the sloth of the American steel companies in developing innovative steel-making processes has given an edge to foreign steel. Tying workers' wages to the long-run prosperity of the American steel industry is likely to penalize steelworkers for mismanagement by their giant employers.

While rank-and-file workers talk increasingly about slowdowns, and wildcat strikes become more frequent in small steel plants, the present international union leadership seems to move inexorably in the opposite direction. President Abel talks of the need to settle future wage disputes without strikes. It is hardly surprising that so many younger workers have come to view the union bureaucrats as an extension of management.

I. W. Abel's version of mutual trusteeship has limited support among steelworkers. But his position as chairman of the AFL-CIO's Economic Policy Committee and his role as possible successor to Meany suggest that his views should be taken seriously. When unions become promoters of class collaboration and economic nationalism they call to mind the parts played by unions in prewar Germany and Italy. □

WHEN MOTHERS WORK

THE BATTLE FOR DAY CARE

ELINOR C. GUGGENHEIMER

The day care battle in this country may well exceed, in length if not in bitterness, our involvement in Southeast Asia. On one side are those of us who are convinced that American children are being neglected, that the rise of child-abuse cases indicates a kind of national sickness, that the failures and dropouts of the school systems can be traced to the earliest years, and that mothers of young children, in increasing numbers, will be working full time outside the home.

On the other side are those who believe profoundly in the American family. What they believe in is not so much the family portrayed by the census data but that of the Kodak advertisement—hard-working, eager young father; smiling, aproned mother; two children; two rosy-cheeked grandparents, hovering in the background and prepared to deliver Thanksgiving dinner and family continuity, and a dog that closely resembles Checkers.

For a long time the proponents of day care were drawn principally from the ranks of early childhood educators and social workers, bolstered by the support of lady board members who were fond of children. One of the earliest day care centers in this country was established by Mrs. William DuBois in New York City in 1854. She had discovered that infants in the slum areas of the Lower East Side were left untended during the day by mothers who were forced to go out to work. In what has become a classical fund-raising method, she nagged her husband and her friends' husbands until she had enough money to open a center for infants. It was not at all like programs we know today. Nevertheless, it forecast a continuing concern for what was happening to children whose mothers, for one reason or another, were not at home during the day.

After the Civil War a substantial number of crèches were set up to care for the children of war widows. Some of the existing centers in New York City date back to the 19th century. At that time the emphasis was on *care*, on providing a safe place for children. Little, if any, consideration was given to the curiosity and hunger for learning that must be satisfied if a child's mental and physical development and his relationship with adults is to be good. Not until 1900 was a school established to train those who were working with children in day care centers and nursery schools.

During the depression of the 1930s a good many unemployed teachers worked in WPA nurseries and, as a result, attention was focused on early childhood education. When the country entered World War II, Lanham Act funds became available to provide day care programs in labor-impacted areas, the purpose being to induce women to work in defense industries. Even though that was the motive, an attempt was made to establish good day care standards.

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But day care was also looked upon as a wartime evil, similar to rationing and civil defense, and it was confidently expected that, when the war was over, women would return to the home and the nation would once again become "normal." That concept of what is "normal" still confuses us. The country has consistently refused to recognize that, in continuingly increasing numbers, women have entered and will continue to enter the labor force. We have feared that, by providing services that obviously are needed, we would deprive children of their mothers' loving attention during the most important formative years, even though studies indicate that economic necessity, not the presence or absence of good care, is the governing factor in a woman's decision to work. The disintegration of the American family, which is so greatly feared, may occur more rapidly from the fact that children receive so little physical and emotional nutrition of any sort in the earliest years that they are incapable of forming permanent attachments as adults.

The elimination of Lanham Act funds after the war forced centers to close in almost every area of the country, except California and a few large cities, notably New York. It was during the 1950s that the opposition to day care seemed to jell—whether from fear of family breakdown, or a reluctance to commit large sums of money, or because day care programs were being encouraged in Russia. It was certainly also due to the strange Congressional misapprehension that 20th-century America is an agrarian society.

The 1961 Social Welfare Amendment provided the first federal funding for day care since World War II. It was a very small sum—only $7 million, of which only $3 million was actually appropriated. Nevertheless, it did move the states to develop licensing laws, in order to be eligible for whatever money was available.

The big breakthrough in child care came in 1965 with the introduction of Head Start. The country suddenly accepted the idea that early childhood education, health and social services were valuable. A few years later Title IVa of the Social Security Act was passed. It provided open-ended funds and made possible the wide expansion of day care. The day care formula provided 75 per cent federal money, to be matched with 25 per cent from city and state. Under a sliding scale of fees, day care services were made available to families with incomes ranging up to $20,000 a year, but the overwhelming majority of children in publicly funded day care were—and always have been—from families on public assistance or in the category called the "working poor."

The Head Start program was never meant to serve the same purpose as day care. It was created in 1965, with the blessing of Mrs. Lyndon Johnson, to give underprivileged children a bit of a jump on their first years in school. Some Head Start programs were open from two to three hours a day, others from nine in the morning until three in the afternoon. As time went on, the enormous need for full day care was such that a number of programs adopted even longer hours. Some parents, too, found a way to convert Head Start into full day care by entering their children in both morning and afternoon programs.

Today the battle over day care seems particularly violent. The earlier group of its proponents has been joined by an active and sometimes militant group of women's liberationists who believe that the country should provide twenty-four-hour free services for all children, so that mothers who work on either night or day shifts can find care for their children. And newly formed community groups are fighting, not only for increased day care services but to insure that they are subject to community and parent control. Aside from the battle to convince legislators and the present Administration that child-care services are important, a certain amount of internecine war is being waged between those who are part of the day care establishment and the community and parent board members of new groups that have recently opened centers or family day care programs.

In order to understand the battles and their possible outcome, it is important to know what services are now available in this country and the extent of the need. The term "day care" can be stretched to include all services given on a regular but less than full-time basis to children under the age of 18 by some one other than their parents or guardians. In fact, however, it has come to mean child-care services in group centers or in the home of a nonrelative, for children of preschool years. This is sometimes extended to the age of 12, with programs provided after school and during vacations. The program content of the two- or three-hour nursery school is usually quite similar to that offered in the day care centers, which may remain open for ten to twelve hours. Nursery schools have not been part of the controversy. However, despite a great deal of pressure by professional organizations to increase the number of such schools in the public school system, a large majority of the children in this country are still deprived of any formal schooling prior to 1st grade.

Day care, then, in the popular sense, implies longer hours than a nursery school offers and an element of need. The centers come in all sizes and styles. Some of them are in housing projects, some in schools, converted houses or storefronts. All kinds of space have been used and all kinds of programs provided in that space. The educational programs have ranged from modified Montessori to unstructured play. The funding, too, has varied. There are philanthropically supported nurseries, government-supported day care centers and Head Start programs whose support derived originally from the Office of Economic Opportunity but is now transferred to the Office of Child Development of the Department of Health, Education and Welfare. A very large number of proprietary day care centers are run for profit.

Perhaps the most widely available type of day care is family day care. There are a great many women who take one or more—in some instances as many as thirty or forty—children into their homes during the day as a way to make money. Some of this care has been excellent, particularly in the few areas where those providing it receive intensive training and consultation. However, much is inadequate and even damaging.

In addition to preschool care, there are a few school-age programs, all-day neighborhood schools, play schools

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Day Nursery in Buffalo; 1885

and extended school services that meet a small fraction of the need for care of children between the ages of 6 and 12. The enforcement of standards has been spotty in the case of the preschool child, but for the school-age child almost no standards have been established. Vacation day camping, which is one form of school-age care, has at times had as its chief indoor facility a bus, in which children are kept for a large part of the day. Of course, there are good programs, particularly those under philanthropic auspices, but for the great number of mothers who enter the labor force when their children reach the age of 6, the choice, more often than not, is the latch key.

Census data give some indication of the extent of need. More than 6 million children under the age of 6 have mothers who work full time, but there are known and licensed day care accommodations for only 900,000. The majority of children are looked after in a variety of informal ways—by relatives, older siblings, in the home of a neighbor, or by a janitor. More than 40 per cent of the families in question would have incomes below $7,000 a year without the mother's earnings; around 75 per cent would fall below the $10,000 a year that is considered the minimum for a family of four in a large urban center. One of the most astonishing figures is the 18,000 children under 6 for whom *no* care is arranged. These are the children whom we find from time to time, tied to their cribs all day long or—even more devastating—left locked in their homes within reach of dangerous drugs and fire hazards.

There are so many indices of need that it is hard to select among them. Among migrant workers there are 700,000 children younger than 12, and their mothers work in the fields. The extent of child neglect among migrant families is reflected in the fact that they lag two to four years behind other children in elementary schools.

One other fact of interest is that 42 per cent of working women are single, widowed, divorced or with no husband; the median salary level of women over 14 is $2,408. This compares with a median salary level of $4,317 for black men, a group that is not conspicuously well paid. What this means is that the children of the single-parent family—which almost without exception means a family headed by a woman—are usually the victims of poverty and neglect.

We have cause to be alarmed about the effect of neglect in the earliest years. At present, 12.9 per cent of young people don't finish 8th grade and 41.8 per cent don't finish high school. In 1971, there were 603,875 arrests on various charges of children under 15. Crimes committed by children are becoming increasingly serious, not only in number but in violence. It is too late to start remedial work in high school; we ought to begin almost on the day a child is born. Day care by itself cannot insure a good education or a stable personality, but it is a first step toward achieving literacy and stability.

However, figures tell only part of the story. Almost anyone who lives in a city is aware of the many very young children who play unsupervised in the street. The newspapers record, almost daily, tragedies resulting from children being left to themselves. They sit on the floor and eat flakes of lead paint, which may lead to permanent mental retardation; they play with matches and the TV shows a fireman with tears rolling down his face carrying a charred body from a blackened building. In the major hospitals, doctors are reporting sickening examples of child abuse—children with broken arms; children with welts all over their bodies. All of these horrors are the handiwork of a society that has turned its back on its children.

Thus it has seemed to the proponents of day care that the need is well documented. Even President Nixon has not suggested legislation that would prohibit women from taking employment. He has, in fact, laid the groundwork for a system wherein mothers on public assistance will be forced to accept training and seek employment. But proposed federal and state regulations are setting income maximums for eligibility for free day care so low and fees for families above that level so high that it becomes apparent the service is to be extended chiefly to families on public assistance. To compound the tragedy of segregation, there is added the tragedy of the ceiling that will now be put on a woman's earnings. The proposal that the child of a woman who gets a job with a salary one-third above public assistance levels should not be eligible for day care after its mother has been off public assistance for six months, simply means that the woman would either have to refuse promotions or would have to become part of an on-again off-again public assistance merry-go-round.

Thousands of day care centers that opened in the last two or three years, when federal funds were readily avail-

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able, are finding that the ceiling on Title IVa of the Social Security Act cuts substantially into day care funding at both state and local levels. That is particularly true in areas where citizens were already concerned about child neglect and were able to move rapidly to use federal funds. Many of us hoped that the revenue-sharing moneys would compensate for the loss of day care funds under Title IVa, but the first general revenue-sharing bill has resulted in far less money than was anticipated, particularly in the large cities. Boards and staffs of agencies dealing in health and welfare services fear that government officials will succumb to political expediency and turn over the already diminished funds to such projects as increased police protection. Short-range solutions may once more defeat the attempt to find real and lasting solutions to an urban society's problems.

As this is being written four additional revenue-sharing bills are in the hopper; they would eliminate more of the categorical programs. But it now appears that, even if all of the revenue-sharing funds that become available are committed to health, education and welfare services, there will still be far less than has been available in the past—and this in a period of rising costs.

All across the country parents, community groups, board members and professionals connected with the day care program are taking to the barricades. They are going by bus to state capitals and to Washington. They are holding demonstrations and applying in masses for public assistance. They have set aside a day to take their children to their places of work. All of this effort is directed to alerting the public to the cutback in day care services and the elimination of thousands of children of the working poor from existing centers.

In 1971 Congress did recognize the problem. Both Houses passed a comprehensive Child Development Act that would have provided free day care for children in families of four having annual incomes of less than $4,300. Above this level, the fee scale would have been moderate, with a family of four on an income of $6,960 paying $317 a year, and HEW was instructed to set fees for families above $6,960. If it had passed, the bill would have been a first step in dealing with our massive child neglect.

President Nixon opposed it, but in all fairness he was not alone. Thousands of letters poured in to Congress expressing strong reservations. Many of them used arguments similar to that of James J. Kilpatrick, who wrote in the Sunday edition of the Washington *Star* on October 24, 1971, that "the Comprehensive Child Care Act was the boldest and most far-reaching scheme ever advanced for the 'Sovietization' of American youth. . . ."

Of all the points of view voiced in opposition to the bill, none seems to me so astonishing as that day care is a Communist device. The fact is that Russia is much more likely to have copied day care from America. Most democratic countries provide day care services and most of the newly developing countries seem to honor day care as a first and most important social service.

And now, while the battle goes on, children are waiting. Mary Dublin Keyserling published a report in 1972 called "Windows on Day Care." Members of the National Council of Jewish Women in many parts of the country helped prepare the material for the report. Some of them recorded the almost total absence of quality care for infants and toddlers outside the home. In Sacramento, the report states, licensed homes and centers serve less than 10 per cent of the community need. In Portland, Ore., where there were 3,100 approved or licensed family or group day care slots, at least 20,000 mothers of preschool children were at work. Burlington County, N. J. reported the need for Spanish-speaking day care centers. San Antonio said that twenty-four-hour service was needed. Washington, D.C., felt a critical need for day care after school hours. The list of shortages continued with special mention of retarded and handicapped children.

In particular, family day care was found to be inadequate. In one Midwestern city a fire disclosed that thirty children were being kept in a four-room firetrap apartment, with twenty more in another. In one home, again in a Midwestern city, eleven children, five of them infants and the six others between the ages of 1 and 4, were found almost naked in a home where stale food was lying about and bugs were crawling. In a mid-Atlantic state, one of the council members reported seven or eight children in a kitchen, most of them strapped to kitchen chairs and all apparently in stupors.

All those who have observed good day care can point to seeming miracles. Children who were considered retarded, malnourished or deeply disturbed have made astonishing strides. Trained teachers have an opportunity on a daily basis to observe children and to work with them as no doctor or psychiatrist possibly could. In a good day care program, the mothers participate and help shape the policies. The center does not take the child away from the mother; it becomes the grandmother, the neighbor, the nanny and the teacher.

Undoubtedly a new comprehensive child development act will be moving through Congress and up to the President's desk within the next year. There will be an attempt to avoid a Presidential veto by making the provisions conform to President Nixon's stated policies. It would be unfortunate if this resulted in pushing day care nearer to a complete welfare program. The effect of that might be to lower educational standards still further, and to eliminate millions of children who have a desperate need for care. The problem that we face now is to educate the public on the dangers of child neglect and on the importance of giving every child the best health, educational and social services of which the country is capable. That does not mean that every child needs day care; it does mean that such services must be available as an option. Forcing reluctant mothers to stay at home is just as bad for children as forcing equally reluctant mothers into the job market. The Day Care and Child Development Council of America, the only national agency concentrating exclusively on these types of early childhood programs, will set in motion a nationwide education program as rapidly as possible. In the meantime, we can only hope that our legislators will have the wisdom to recognize that the freedom and welfare of the country rests with its future citizens and their dedication to a democratic society. □

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BOOKS & THE ARTS

More of Louis Nizer's Life in Court

THE IMPLOSION CONSPIRACY. *By Louis Nizer. Doubleday & Co. 495 pp. $10.*

SARA SANBORN

In the absence of other sources, an illuminating political history of postwar America could be constructed out of writings on the Rosenberg case alone. As books have followed one another into print over a period of twenty years, the raging accusations of fascism and frame-up by Rosenberg partisans have given way to cold-eyed scrutinies of the evidence and the witnesses. On the other side, even before the end of the 1950s, writers who considered the Rosenbergs guilty no longer presented them as the arch-villains that the prosecutor and the popular press had made them out to be, the symbols of a godless menace that threatened every American, but rather as contemptible neurotics whose personal inadequacies made them easy cat's-paws. Before he passed sentence on the accused, Judge Irving R. Kaufman's mail is said to have run 99 per cent in favor of a death penalty. Only a few years later, no writer could find a way to defend the sentence or the judge's infamous statement that he held the Rosenbergs responsible for the Korean War and 50,000 American casualties.

With the appearance in 1971 of E. L. Doctorow's fine novel, *The Book of Daniel,* the Rosenbergs passed into the timeless realm of emotion recollected in tranquillity. They would have been pleased, for whatever else they were or were not, Ethel and Julius Rosenberg were avid for immortality. Whether they achieved it in their own perverse way or had it thrust upon them remains the question.

The case also acts as a glass to the authors who treat it, reflecting their values, concerns and assumptions about themselves and others. We have had the austere condescension of Jonathan Root and the all-pervading radical suspicion of Miriam and Walter Schneir. Though Louis Nizer's new study is occasionally marked by the footprints of earlier authors, it also faithfully mirrors his preoccupations and public personality.

Sara Sanborn's reviews and articles have appeared in Commentary *and* Boston Review of the Arts.

To Nizer, the Rosenberg case is essentially a courtroom drama, a battle between legal adversaries, with the outcome depending on the canniness and daring of one side or the other, and lots of crowd-pleasing human interest thrown in free. One senses that he would like to have had a hand in the arguments—and that he wouldn't have cared greatly which side he represented. Nizer occasionally tries to lend weight to his account by ritual invocations of the most destructive weapon ever devised and the most important secret ever stolen, but his heart isn't really in it. Neither the circumstances nor the outcome seems to mean much to him, except in their possibilities for facile drama. And an audience that measures death in megatons isn't likely to freeze with horror at America's loss of the "secret" of the Nagasaki-pattern bomb. What is left when the public thrills and chills are removed is compelling enough: the history of three outcasts battling the massed weight of society for their lives, and, although Nizer seems happily unaware of the implications of some of his materials, a morality play parading hypocrisy, vanity and cruelty, occasionally redeemed by generosity and devotion.

Nizer set himself a large task in telling the Rosenbergs' story again. He pledged himself to master "the internal facts such as the psychological motivations," as well as the external ones. "I was not going to write a word until research had put me under their skins, the prosecutors', the defense counsels', the judge's, the appellate judges', the witnesses'." It is an impossibly ambitious, indeed presumptuous, undertaking—unless one has a very simplistic notion of psychological motivation. When Nizer tries to get under the Rosenbergs' skins, his conclusions are generally thin, hackneyed, and condescending. We understand them most fully and painfully as human beings when the author intrudes least, in the last sections that describe their lives in the death house. The death sentence itself seems scarcely less terrible than the gratuitous and hypocritical cruelties of prison life. When Ethel Rosenberg's children brought her a bouquet at their last meeting, she was not allowed to accept it. Elaborate precautions were taken to see that the couple never touched each other: at joint meetings with their lawyer (and their children), they wore handcuffs and were separated by the length of a conference table; in their last meeting on the night they died, a wire screen was meticulously placed between them. In a particularly hideous torture, federal officials let them know down to the moment each sat in the electric chair that their lives would be spared if, and only if, they confessed and implicated others. The author reports these grotesque inhumanities quite uncritically: it seems that to him they merely add local color.

Nizer makes no effort to get "under the skin" of his professional colleague, Judge Kaufman. Of the chief prosecutor (later judge) Irving H. Saypol, who built a career prosecuting such public enemies as Alger Hiss, William Remington and Abraham Brothman, Nizer observes only, "Saypol was effective because of an inner conviction that he was fighting a wicked enemy. It armed him with sincerity. There is no more effective weapon to pierce a jury's doubts." Here there is no pretense of understanding the traits of character that contributed to the tragic outcome.

As to the witnesses: who can penetrate the psychological motivations of a David Greenglass, who swore his older sister into the electric chair? Greenglass confessed in copious detail that, at the instigation of the Rosenbergs, he had taken advantage of his position as a machinist at Los Alamos to pass on information about the detonating device of the atom bomb. He and his wife, who acted as a courier, testified that they had known from the beginning that their activities were "wrong"; however, they had been kept in the conspiracy by his "hero-worship" for the older Julius. The Greenglasses were rewarded handsomely for their testimony: David was sentenced to fifteen years, getting off the lightest of all the defendants though he was the only one who had actually had access to secret government data; Ruth, who by her own confession was as deeply involved as Ethel, was never indicted. Probably we need not seek much further for their motivations.

Nizer is most successful in creating as a personality the defense attorney, Emmanual Bloch, whom he regards as "the hero of the book." With no help except that of his father, Ethel's attorney, and

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one assistant, Bloch carried the main burden of the defense, pressed the record number of appeals, attended rallies, and took charge of the tormented Rosenberg children, accompanying them on harrowing visits to Sing Sing. A few months after the execution, having finished a coast-to-coast speaking tour to raise funds for the children, and facing proceedings by the New York City Bar Association for his intemperate public remarks ("I am ashamed to be an American"), Emmanual Bloch died of a heart attack at the age of 51.

Bloch's devotion to his clients was exemplary and his appeal briefs, Nizer says, were brilliant. Unfortunately, "apparently the Blochs were better brief writers than trial lawyers." With the loving care of a successful artist commenting on a lesser man's work, Nizer points out all the missed opportunities in cross-examination, in the presentation of evidence and witnesses, and in the final summations, as well as the spectacular errors of commission made by Bloch in what were, transparently, efforts to placate the judge and jury. This is a perspective on the case we have never had before, and an illuminating one. It is Nizer's expert if self-satisfied commentary on the courtroom events and his re-creation of the advocate's ordeal that give this otherwise unoriginal and thinly researched book its interest.

The real question we should ask about the trial, the author says, is not whether the Rosenbergs were guilty—we will probably never know—but whether the jury had sufficient ground for its verdict of guilty "beyond a reasonable doubt." Nizer claims he began his study with no opinion either way, and he purports to give the reader the same opportunity to judge for himself. In fact, what in a trial judge would be reversible prejudice appears throughout the book, and we are not surprised when Nizer declares the verdict legitimate on the basis of his study of the trial transcript. Nonetheless, the reader will probably agree that the verdict did not fly in the face of the evidence. The Rosenbergs testified, feebly, in their own behalf, while against them appeared half a dozen witnesses. Most, to be sure, had something to gain by their testimony, but none was discredited by cross-examination. The case of Morton Sobell, whose grievances have been obscured by the more sensational fates of the Rosenbergs, is different. Sobell was tied to the conspiracy by the word of one man, who had something to fear from the government for having perjured himself in swearing that he was not a Communist, and there seems substantial room for reasonable doubt here. Nizer seems rather to feel that Sobell, on whom he expends little attention, deserved the thirty years he got for having mounted an optimistically incomplete defense.

In any case, it is not the *jury*'s honesty which those with continuing doubts about this case question, as Nizer must know perfectly well. His bright conclusion that all is well because the evidence can support the verdict and there were no gross improprieties in the conduct of the trial, seems either naive or disingenuous. It is precisely the quality of the evidence presented to the jury that has been persistently questioned. We are not content to be assured of what most of us never doubted, that the jury acted in good faith. We would like to know if the prosecutors and investigators did too. It is extraordinary that Nizer does not list among the few books he consulted the Schneirses' *Invitation to an Inquest*, in which the authors presented what appeared to be new facts. To cite only one example, the testimony of Harry Gold, the self-confessed spy-courier, is thrown into doubt by the Schneirses' investigation, during which they heard tapes of Gold's interviews with his lawyers describing his interrogation by the FBI. These tapes make clear that Gold's story was incomplete in many respects until the FBI "helped" him recall such details as Greenglass' name and address and, apparently, the damning password, "I come from Julius." Many facts of Gold's history make it hard to believe that those who interrogated him could have found him completely credible, except by wishful thinking.

Appellate courts do not rule on matters of fact or the credibility of witnesses, considered the province only of the jury, nor may they review sentences, set by the trial judge alone. Bloch pressed twenty-three applications for relief of one kind or another, and 112 judges (counting some more than once as they ruled on different occasions) found the proceedings unimpeachable under prevailing federal law and practice, while only twelve dissented. Nizer calls on us to witness and rejoice in how many safeguards America grants her accused. Everything including sentencing was done according to law and precedent, and Nizer makes clear his scorn of amateurs who dare to question the law itself or suggest that it may be subject to abuse. While he considers the death sentence "unfortunate" (especially in the propaganda opportunities it gave the Communists), he is satisfied that the Rosenbergs got their full measure of justice in this best of all possible legal worlds.

Hence, this is ultimately a cheap book. It is cheap in its meticulous avoidance of the real issues in the Rosenberg case, in its smugness about American legal institutions, in the complacency of its author, and in his indifference to the Rosenbergs as human beings except insofar as their incredible emotional ordeal can be exploited for the screenplay he says he is writing. A study that attacked the issues and personalities of the case head-on and then straightforwardly found against the Rosenbergs would be more worth while than this, for Nizer is not really objective; he is merely morally absent. The book is stuffed with routine pieties about the jury system, but even here the author's professions fail to carry conviction. The hymns to American jurisprudence ring false when Nizer describes with a craftsman's delight what kind of jurors the defense should try to seat and how counsel should behave to make the best impression. These sections, and those in which Nizer elucidates (quite uncritically and with a sneer for amateurs who presume to have an opinion) such legal monstrosities as the law of conspiracy, are enlightening as they relate to the Rosenberg case, and they add to the education of the armchair advocate. But they do not build faith in the law's majestic impartiality, nor in Nizer's ethical sensibilities.

It is unfortunate that this book fails in the ways it does, because it is time for another study of the Rosenbergs. It would be good to have a study that instead of trying once again to prove a case one way or the other, could put the whole complex of events into perspective for us, could help us understand what it meant to and about us as Americans. Even if we consider the Rosenbergs to have been guilty, the conduct of the trial and the surrounding events still have important implications for us. The sentence and the accompanying public blood-lust, for example, remain as painful souvenirs of our

LETTER TO

my dove, my unicorn, my deep pool,
my smooth pebble, my pulse, my amethyst,
my sleep, my music, my forest fern,
my greygreen wave. My ocean.
Your thirsty shore,

Ruth Whitman

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immaturity, reminders of what we are capable when roused. But we have also traveled beyond that: it seems possible that the Rosenberg verdict might be set aside by a higher court today, if only because the jury in this most sensational of all cases was not sequestered during the trial.

Such a treatment will have to await the appearance of a writer of much greater stature than Nizer. What we will probably get in the meantime is his screenplay, a measure of what the Rosenberg case has become to us twenty years after: "A great spy story! A great love story!" □

The American Game of Life

RIP OFF THE BIG GAME: The Exploitation of Sports by the Power Elite. *By Paul Hoch. Doubleday & Co. 220 pp. Paper $1.95.*

ISAAC D. BALBUS

The truth is whole, yet we continue to think in a partial, segmental, fragmentary and therefore fundamentally incorrect fashion. Even Marxists who have thoroughly assimilated the Hegelian insight that the structure of the whole is interiorized in any given part of social reality, and that it is therefore impossible to know a part prior to an understanding of the whole, draw the line (i.e., think segmentally) when it comes to organized sports. Somehow that increasingly important part of social reality which is organized sports is thought of as lying outside the American capitalist whole, a mental operation which encourages and/or justifies the remarkably prevalent phenomenon of the Radical as Avid Sports Fan.

The great virtue of Paul Hoch's book is that it explodes this myth of sports as the Great Exception through its account of the way in which organized sports both reflects and contributes to the American capitalist order as a whole. Its message, in other words, is that organized sports in America is a specifically capitalist phenomenon. Once we have absorbed that message, we begin to understand the sense in which the critique of sports is identical with the critique of American society—an idea which immediately establishes the importance of the so-called "jock liberation movement" sweeping this country, and of books like Paul Hoch's which are its theoretical expression.

Hoch demonstrates that the historical origin of organized sports in America—both professional and "amateur" with their fundamental division between the few players and the many fans or spectators—was inseparably intertwined with the emergence subsequent to the Civil War of a monopoly capital order "capable of providing a surplus sufficient to support large-scale sports involvement by wide masses of people" on the one hand and of reducing necessary working time so as to provide sufficient "leisure time" for such involvement on the other. As a "child of monopoly capital," organized sports in this country evolved in a manner that closely paralleled the evolution of the economic order as a whole. Every major expansion in organized sports over the past hundred years, Hoch shows, has been a function of the peculiar way in which the interrelated imperatives of technological development and profit maximization have combined to produce new and greater investment opportunities. Thus the growth of newspapers, advertising, the railroad, the automobile and radio and television, each in turn supplied the impetus for major expansion in organized sports (just as the expansion of sports played a crucial role in fostering the development of these industries: as is always the case, the relationship among the various parts of the social whole is reciprocal and interpenetrating). In short, the logic of the growth of American sports has been the logic of the growth of American monopoly capital as a whole. From a historical perspective, organized sports can be understood as the product of the increasing penetration of capital into all realms of social life—what Lukacs called progressive reification—and, in particular, as the capitalization or reification of what was formerly known as play.

Hoch shows how monopoly capital control continues to shape the form and content of organized sports today, accounting for the dynamics of continuity and change within what is indeed an increasingly "wide world of sports." Longer seasons, more teams, all-weather stadiums, more injuries, increased use of drugs, increasingly phony (because required by the advertiser) time-outs, and more player TV testimonials are necessary outgrowths of the insatiable passion for accumulation which drives the capitalist engine. Stripped of the phony glamour which surrounds them, professional as well as some "amateur" athletes are highly paid, highly exploited wage workers who provide profitable spectacles for mass consumption. Their period of productive labor, moreover, is remarkably short; they are squeezed for all they are worth and then discarded, often as physical cripples, after three to ten years, depending on the particular sport. And, stripped of their phony image as "sportsmen," the owners of our major teams turn out to be multimillionaires for whom their team and its fans is but one of the many sources of personal enrichment which comprise their corporate and financial empires. Sports, in other words, is Big Business, and the exploitative relationships among the various participants in the sports world reflect the exploitative relationships within the business world as a whole.

This demystifying analysis, of course, has been made before. The particular merit of Hoch's book is that it does not stop here. Rather than limit himself to an analysis of how sports has become a business, of how sports is a function of capitalism, he goes on to elucidate the special contributions which sports makes to the very system which gave it birth. Here Hoch's point is that organized sports functions as a crucially important mechanism for the inculcation of those values, and the creation of that character structure, which fit the needs of monopoly capital. Thus organized sports serve to foster imperialist, militarist attitudes through their emphasis on being "number one" (Nixon) and on crushing the "enemy." Even more fundamentally, they help create the acquisitive personality so essential to capitalist production, and at the same time help solve the twin problems of socializing for competition (with other workers) and cooperation (with the firm) by generating intense inter-team rivalry and equally intense intra-team loyalty. Similarly, the spectacle of organized sports becomes an essential prop of a consumer capitalism which cannot survive without the systematic production of an ever increasing level of consumer demand: "sports watching is . . . one of the most powerful socializers for the habit of passive consumption around." Sports—as a male-dominated institution—serves as well as a support for the system of sexual inequality which is the inevitable corollary of a sexual repression

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dictated by the capitalist reality principle. And, contrary to its image as the Great Equalizer, sports even contributes through its typical division of labor (e.g., there are precious few black quarterbacks) to the racist stereotype of the animalistic black endowed with great brawn but little brain. Finally, organized sports creates a sense of community, of "we-ness" both on a local and a national scale, in a society where there is scarcely any other occasion for such "coming together," and thus serves to mask and legitimate existing class divisions.

Since Hoch does not develop a comprehensive theory of how the different values which permeate the capitalist whole—militarism, competition, consumerism, sexual inequality and racism, and a false sense of community—are interrelated, his analysis of the contribution of sports to the whole remains somewhat incomplete. Yet even his relatively disjointed catalogue of the ways in which sports contribute to the persistence of the typical values and character structures of American society serves to indicate the centrality of this institution within the American capitalist totality. Sports is not just any big business, it is a big business the consequence of whose operation is the perpetuation and legitimation of the American corporate capitalist system. By virtue of this demonstration, Hoch's book has added immeasurably to the depth of our understanding of how capitalism manages to survive and even flourish in the face of its persistent and potentially explosive contradictions.

Rip Off the Big Game is thus a very important work, the most serious effort of which this writer is aware to come to grips with the impact of sports on American life. It is marred by a pronounced tendency toward apocalyptic rhetoric ("increasingly, it is fascism against socialism") and naive class analysis ("the international proletariat . . . that 98-or-so per cent of the world's population who are wage workers . . ."), but these simplicities are easily forgiven in the light of the richness and sophistication of the bulk of the work. Two somewhat more serious shortcomings, however, deserve more detailed comment.

Hoch correctly understands that the powerful role of sports as a capitalist reproductive mechanism derives from its tenacious hold on the American (male) consciousness, that "sports watching [is] a more efficient opiate . . . than virtually any other [because of] the total sense of *identification* of the spectators with the values and personalities being communicated from the field." Yet he never quite comes to grips with the question of why this hold, this identification, is so powerful. And, in the absence of such an analysis, the prospects for de-identification necessarily remain unclarified. It is not sufficient to say that the attraction of sports is so great because it mirrors all of American society's most treasured values, because, as I suggested at the outset, even radicals who consciously reject all those values somehow find themselves at Jet games or glued to the TV Knick game, and I myself will find it difficult to resist the temptation to open tomorrow's *Times* to the sports page.

If the grip of sports on our imagination and our lives does not derive from the fact that it projects typically bourgeois values, then what is the source of its almost magical potency? Hoch does not deal directly with this question, but at one point he does suggest that sports is a distorted reflection of a genuine human need, which he, following Marcuse in *Eros and Civilization,* calls the "play impulse." The attraction of sports, in other words, derives from the fact that it remains virtually the only sphere in our society in which there is at least the appearance of spontaneous play. There is something to this argument, but in itself it appears to be an insufficient explanation, for it fails to illuminate why it is mainly men who become the victims of sports's magic. Here I think a satisfactory explanation would have to focus on the role of sports as a determinant of the male child's identity, and would necessarily lead to an awareness of the deep, unconscious, psychological roots of the sports mania. Speaking of the college and professional athlete, Hoch asserts that "his whole self-identity is athletics." If it is true that actual and vicarious participation in sports is *the* means through which male children become "men," then this last sentence may apply to many more men than full-time athletes. If the link between sports and "maleness" is as deep as I think it is, it is not surprising that male radicals find themselves unable to liberate themselves from the paralyzing hold of sports. Nor is it surprising that homosexual or bi-sexual men are probably less caught up in sports than the average male heterosexual. Ultimately the fight for liberation from sports is a fight for liberation from sexually defined social roles.

A second principal shortcoming of Hoch's analysis is his failure to elucidate what I think is a qualitative change of immense significance in the role of sports within American society. I refer to the fact that, as demonstrated at a number of points in Hoch's book, the language of sports is increasingly being used to describe both the economic and state sectors of our system. Thus on the one hand one reads about managerial workers being described in a financial journal as "mental athletes" and about workers who are being encouraged to produce more in the name of "team spirit," while on the other one hears that the current Administration's "game plan" is being guided by its "quarterback" in the drive to the "goal line." Indeed, my thesis is that sports is rapidly becoming one of the dominant legitimating ideologies, if not *the* dominant legitimating ideology of the American political economy. As sports is increasingly becoming big business, the world of business and politics is being increasingly cloaked in the rhetoric of sports and is thus taking on the appearance of sports.

I would suggest that this profoundly important transformation in the role of sports is a response to an equally profound crisis of values peculiar to advanced capitalism, a crisis which Hoch's relatively static analysis of American capitalism fails to uncover. On the one hand, the classical bourgeois values of hard work and postponed gratification are becoming increasingly difficult to sustain in the face of an economy whose growth depends on ever increasing consumption and the hedonistic ideology of consumerism which supports it. In other

How the churches and politicians circumvent "the separation of church and state"

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words, capitalism's response to the threat of free time created by its own internal dynamics has been to create a world of consumerized "leisure time"—but in so doing it has seriously undermined the bourgeois values which sustain a repressive productive apparatus.

At the same time, capitalism suffers from a crisis in bourgeois political values which threatens to undermine the capacity of the state to carry out the increasingly important economic tasks which it undertakes on behalf of private capital. Governmental intervention in the economy on a large scale requires that the state create forms of political representation which directly violate the traditional norm of formal equality, of equality before the law, and thus can be accomplished only through a systematic depoliticization of the population. As Habermas has shown, the response to this need for de-politicization and this crisis in traditional bourgeois political values has been the development of a new legitimating ideology which fosters de-politicization by defining state economic decisions as purely instrumental, technical, and therefore apolitical in nature.

The increasing use of metaphors drawn from sports to characterize business and politics can, it seems to me, best be understood as a response to this twofold capitalist legitimacy crisis. If work appears to be a game, if one works for the "team," then consumer and leisure values directly become production values, and the contradiction between production-oriented postponement of gratification and consumption-oriented hedonism is rendered nonexplosive or even annulled. Through the conceptualization of one's work activity as a sport, one can perhaps be convinced that he is engaged in leisurelike, playlike activity! Thus *work as a game*, as a sport, may increasingly replace the puritan ethic as the principal legitimating ideology of capitalist society. At the same time, the conceptualization of state activity as a sport in which the President as quarterback pursues a game plan whose unquestioned purpose is that of winning, serves to de-politicize state economic decisions by fostering the ideology of the instrumental, technical and apolitical nature of these decisions. If sports is the relevant model, then the mass of the population stands in the same relationship to the state elite and its leader as the passive spectators to the football team and its expert quarterback or coach: politics becomes a spectacle to which the masses passively react, which they may second-guess ("Monday morning quarterbacking"), but in which they can never participate actively. Thus *politics as a sport* may increasingly replace the traditional value of equal political participation as the dominant bourgeois political ideology.

The most radical, perhaps utopian interpretation of Marx's vision of communism is expressed in the notion that work can become play, that work can become spontaneous activity which is engaged in for the sheer joy of it. What we are witnessing, I would suggest, is a curious and deadly inversion of this Marxian dialectic. As play becomes *in reality* more and more like alienated work, work *appears* more and more like play. Organized sports thus becomes the vehicle for what we might call the *false unification of the opposites of work and play*. And yet, in the face of this tendency toward one-dimensionality, the contradiction re-emerges in the form of the so-called "jock liberation movement"—the rebellion of the athletes themselves—a testament to the impossibility of total one-dimensionality, which bespeaks the falseness of the attempted unification and restores the vision of a true transcendence of the opposition between work and play. □

The Exemplary John Brown

THE OLD MAN: John Brown at Harper's Ferry. *By Truman Nelson. Holt, Rinehart and Winston. 305 pp. $8.95.*

ROBERT MERIDETH

During the night of October 16, 1859, John Brown and eighteen American revolutionaries—all dedicated to the abolition of slavery—moved after long planning and preparation to capture the federal arsenal at Harper's Ferry, Va. The next morning wildly exaggerated rumors were abroad. The first dispatch to the world announced an "insurrection" of 250 white abolitionists aided by a "gang of Negroes"—"all armed," reinforcements on the way, wires cut, all streets in the town "in possession of the mob" and "barricaded and guarded." President Buchanan tried to suppress the "terrible news," fearing the insurrection would spread, but he could not. He sent Col. Robert E. Lee to command the government forces at Harper's Ferry. Meanwhile, with Lee in transit, a disorganized, fearful, drunken militia at the Ferry was hacking away at Brown's forces, picking off his men one by one. The reinforcements Brown hoped for did not materialize and his rear guard dawdled unconscionably. When Lee arrived with Marines, he assaulted the arsenal and killed or captured Brown's remaining men with relative ease. By the morning of October 18, less than thirty-six hours after the action began, it was over. Damage was minimal and the established order was seemingly well on its way to being restored.

Naturally one would expect the affair to provide front-page headlines. But who—even given the clues implicit in the paranoia of the initial rumors—could have predicted the galvanic, catalytic effect it had, or the way it would reverberate through the nation's political structure? Reporters swamped the old man with questions as he lay on the grass, exhausted but unrepentant. In Boston, the secret six, Brown's distinguished supporters and co-conspirators—Theodore Parker, Thomas Wentworth Higginson, Gerrit Smith, George L. Sterns, Franklin Sanborn, and S. G. Howe—made plans to leave the country. Thoreau began to write in his journal the ringing phrases that would become *A Plea for John Brown*. Senators and governors hurried to the Ferry to be in on a three-hour ordeal (for Brown) of questions and accusations. Brown and three other survivors in custody were then taken to Charlestown, where they were charged with treason, murder, and inciting slaves to insurrection, and where, despite all possible delaying tactics, they were tried, convicted, and sentenced within two weeks. During the trial, and then during the month until Brown was hanged (on December 2), the newspapers of the country were filled with the event. The ripple at the Ferry threatened to become a powerful wave smashing upon the shore at the Mason-Dixon line and splitting the Republic. As Nelson remarks in his last chapter, "Giant contradictions, the sure sign of the disintegration of an era, quickly became apparent."

Blamed for Brown's raid, the Republicans began, paradoxically, to win elections at a surprising rate. As John Brown's body was being transported from Charlestown to North Elba, N.Y., Congress convened. Brown and Harper's Ferry obsessed it. Southern statesmen argued that the Republican Party had

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shifted its position. It no longer merely wished to contain slavery but now virtually condoned anti-slavery invasions. Thus, given the new logic of the historical situation, the Southern states must move in turn to contain anti-slavery or, as Jefferson Davis said in the Senate, become "foreign governments with police stations along each border and passports required, with such inquiry into the character of persons coming in as would secure immunity to peaceful women and children from the incendiary and the assassin." Nelson's account ends on this note:

> If history could be honestly presented by the leap and freeze technique of time-lapse photography, we could glance next to that day a year and a month later when . . . Jefferson Davis of Mississippi [and others] rose and announced to the Senate that because their states had seceded from the Union, they were resigning from the Senate. At that moment the South surrendered to John Brown and his still multiplying sympathizers in the North. It was an abdication of power over the Army, the Navy, the Courts, Custom Houses, Embassies, and all its agents in the Bureaucracies, down to the postmaster in the tiniest village. They had threatened to do this if a Republican President were elected; he was, and they did it.

The Old Man thus comes full circle around to its beginning. The thesis with which Nelson opens his book is that Brown at Harper's Ferry planned a classic coup, as distinguished from both insurrection and revolution. As the evidence for this astonishing and fresh hypothesis emerges from the narrative, chapter by chapter, it becomes altogether plausible. That is, it becomes plausible not only that Brown planned a coup but that the coup he planned and partly carried out worked. Its success took a different shape, a longer time, and a great deal more blood than he had imagined.

That Brown planned his action at the Ferry as part of a coup is suggested by all the details of his strategy, even in the alternative plan he rejected: to undertake a series of "tightly controlled slave raids" along the North-South border, "a standard guerrilla operation developing into a long and bloody process of eroding the social and political infrastructure of the slave states." Again, Article 46 of the Provisional Constitution he had drafted years earlier explicitly insisted that nothing in the Constitution be construed "so as to in any way encourage the overthrow of the United States . . . [it] looks to no dissolution of the Union, but simply to amendment and repeal"—that is, Brown planned to transfer power within the existing sys-

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tem. Specifically, it would be transferred (at least symbolically and temporarily) to Frederick Douglass; Nelson's long chapter dealing with that part of the plan (which was abortive because Douglass would not agree to it) is dramatic and thoroughly persuasive. Again, the wide disclosure of Brown's general plan to many Northern men of power—seldom has a revolutionary conspiracy been so well-known and fully reported in advance to so many men of great visibility and authority—Brown believed would engage their tacit support, which he thought would eventually become explicit supportive action if he were successful in moving into the Ferry, seizing symbolic buildings associated with political power, arousing the country, then moving southward to a base in the Virginia mountains, holding out there, and being joined by other whites and a substantial number of escaped slaves. Northern abolitionists and Republican politicians would be obliged to contribute to the strategy of the coup by taking actual power, and they would surely be helped in that by the intransigence and terror of the South.

In the long run the strategy succeeded, even though Brown failed to carry out the whole of his tactical plan. Brown did galvanize the nation and the Republican Party. Eventually there was a transfer of power. But not enough and not soon enough. When the moment for decisive revolutionary action came, the Republicans let it dissipate into rhetoric and parliamentary maneuvering. Harper's Ferry did lead to the Civil War, but chiefly by forcing an irreconcilable realignment of national political positions. Might the war not have been shorter and much less bloody if the Republicans had not been paralyzed at the decisive moment and the South had not been given time in which to prepare? Was not Brown's failure, ironically, that he was not bloody enough when he needed to be, that he did not do what was necessary to hold out? Contrary to the usual view of Brown, his tragic flaw was exactly his hope that by the tactics of actual but chiefly symbolic assault, by displaying his humanity to his hostages, by restraint, by shedding blood only in self-defense, he could succeed in his revolutionary aim. He failed not as a general planning his strategy but as a captain at the operational level. And he knew it. His last written words were these: "I John Brown am now quite *certain* that the crimes of *this guilty land* will never be purged *away* but with blood. I had *as I now think vainly* flattered myself that without *very much* bloodshed it might be done."

Nelson's thesis is worked out with great beauty of structure and economy of language. His spare, clear prose puts the indomitability and heroism of Brown and his men into sharp relief, larger than life. At the same time he neglects none of the mistakes or human limitations that give Harper's Ferry its drama —not its meaning but its drama. The meaning is in the explanation of the coup. The drama is in the description of the acting out of the logic of the event, chiseled from the concrete data of history. If Nelson's first account of John Brown, *The Surveyor* (1960)—Brown in Kansas, the Pottawatomie massacre, its justification—was the prototype of the nonfiction historical novel, *The Old Man* may be called a documentary fiction, by which I mean a carving out from all available documentary data the dramatic lines of the event and rendering it in a form that has the power of a great novel. The two forms are alternative possible realizations of the same imaginative process. In Nelson's hands both have extensive possibilities.

Surely the power derives not only from the persuasive historical explication, not only from the skill of the objectified narrative, but as well from the political understanding of the writer. I first read Truman Nelson in 1960 when *The Surveyor* was published. Since then I have read all his work: *The Sin of the Prophet* (1952), *The Passion by the Brook* (1953), *The Torture of Mothers* (1965), *Documents of Upheaval* (1966) and *The Right of Revolution* (1968), not to mention what are at least two dozen of the most powerful lectures and essays in contemporary American letters. From the beginning his themes have been constant, though he has matured them and perfected his manner of rendering them: that racism is the major unfinished business of American history, that there is a right of revolution, that individualism is a paralyzing ideology, that there can be and sometimes is a beloved community of resistance, that there is an American revolutionary tradition (from the Puritan revolutionary founders at least through Paine and Samuel Adams, Garrison and Brown), and that it is to that tradition that contemporary scholars, novelists and revolutionaries should look for sustenance. Anyone wishing to sample briefly the themes of Nelson's revolutionary morality can find them compactly stated in his finest essay, "Thoreau and the Paralysis of Individualism," in *Ramparts* for March 1966. *The Old Man* is one of his most skillful full renderings of the argument, however, partly because John Brown at Harper's Ferry is the embodiment of Nelson's vision.

Not the John Brown that has come to us in the schoolbooks and the scholarship of the academy, not the John Brown whose meaning is blunted and whose force and example have been turned into a harmless symbol of messianic fanaticism, but the real, revolutionary, exemplary John Brown. I make John Brown out to be a major historical figure with whom the American Left is obliged to come to terms, the embodiment of an American revolutionary morality. Nelson is his major expositor. He displays as does no other American scholar or writer what it means to immerse oneself in the historically specific situation and to render it with consummate literary skill and great political understanding. Like Brown, he has no guilt to work out, and his act and its consequences are their own justification. It is not sentimental to say that he has not yet found the large audience his work might support. His audience must create itself, along with the revolutionary morality he espouses. □

Dead or Dying

THE GREAT JEWISH PLAYS. *Translated and edited by Joseph C. Landis. Horizon Press Publishers. 356 pp. $7.95.*

SEYMOUR KLEINBERG

Joseph C. Landis, professor of English and director of Jewish studies at Queens College, has translated five plays from the Yiddish, and written individual prefaces to each as well as a general introductory essay on Yiddish drama. The translations are well done and the introductory material is excellent. Landis has tried to render the Yiddish into colloquial English, avoiding for the most part the anachronisms and stilted language that would violate the tone and mood of the plays. I wish the discussion of the development of Yiddish as a literary language were more detailed, especially for the sake of readers unacquainted with its history. And while the plays in this collection have been discussed elsewhere, the book does not include a bibliography that would guide the reader to that body of criticism.

The plays selected are S. Anski's *The Dybbuk*, Sholem Asch's *God of Vengeance*, Peretz Hirshbein's *Green Fields*, David Pinski's *King David and His Wives*, and H. Leivick's *The Golem*. The anthology is especially welcome because of the scarcity of Yiddish drama

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THE PERSISTENCE OF LOVE

This planet's year
Is a figure eight
Between the suns
Of a binary star

When it loops in
Between the two
We're scorched with one yellow
And one bluish light

When it curves out
On the ellipse
The cold's so deep
Every bone rasps

Two gravities pull
The intestines round
The spinal column
And haul on them

And sleep is hard
If a sun goes down
After two hours
The other will rise

In such a world
You'd think a man
Wouldn't foist life on
A child to love

But here stands my wife
Folding her hands
Under a gravid belly
To hold it up

Lucas Myers

in translation, and because of the increasing demand for Jewish literature on the part of both the general reader and the undergraduate concerned with Jewish studies. In recent years, there has been a gratifying renewal of interest in Jewish literature, in part the result of the general rise of ethnic studies in universities, and more important, the result of a new interest shown by young American Jews in their Ashkenazi origins. This new generation of Jews is quite cut off from its roots in Eastern Europe, and even from its less remote antecedents in the ghettos of the large American cities. A curiosity and nostalgia for the culture that was virtually destroyed by Hitler, and for the remnants of it that survived briefly in America until prosperity put an end to them, are increasingly evident among young and not so young Jews.

This anthology is a step toward fulfilling the need for knowledge about the birth, flowering and near death of Yiddish culture in the tragically brief space of less than a century. It is almost possible to assign the birth of secular Yiddish literature to a single year, but the last decades of the 19th century in Russian Poland are near enough. By the end of the 1930s, a body of Yiddish literature of remarkably high quality had been created for an audience of millions. What confronts us now is the anomaly of a rich literature without an audience. What the concentration camps left unfinished, assimilation in America has almost completed—the transformation of Yiddish into a dead language. Sad to say, the existence of Israel has not helped the case, not merely because Hebrew is the national language but because—to put it charitably—of Israeli ambivalence toward Ashkenazi culture. While it is clear that the political establishment, as well as most of the older population, is predominantly European and cosmopolitan, Yiddish culture is identified in Israel with a past that is increasingly irrelevant to the nation's future.

The desirability of translating the kind of material represented in this volume is obvious. Ideally, the experience of reading Yiddish literature may encourage an interest in literature in general—something that has declined steadily among this nearly illiterate current generation of Jews—and particularly, a desire to learn Yiddish and keep alive the language that is the embodiment of secular Jewish culture. In Europe and Israel, the fate of Yiddish is dubious; only in New York is it possible to hope that it can remain a living literary language. Landis is more optimistic than I about the future, but is clear that this is the last historical moment when a revival is possible.

As for the plays themselves, the quality of the material varies; they have in common their wide fame, which is what Landis means when he defines them as "great." None of them, nor any Yiddish drama I know of, ranks with the achievement of either Yiddish poetry or fiction. Of the five, *The Dybbuk*, the most famous, is also the best, and Landis' introduction and translation make it fully accessible. Asch's *God of Vengeance*, despite its precocious sensationalism (prostitution and lesbianism are overtly depicted), is superior to most of the current theatre fare available on Broadway. The other three plays vary in interest, and none, I think, is commercially viable. Pinski's and Hirshbein's plays are too naive and too dated for modern tastes. Landis' claim that they escape sentimentality I can only attribute to his fondness for the material. *Green Fields* is not sloppily vulgar in the way *Fiddler on the Roof* is, but it is certainly a classic example of literary sentimentality. If one takes the plays seriously as drama—which both Landis and I do—then one should be prepared to acknowledge that their sentimentality is a fact, not to be confused with, or euphemistically described as, idealism or innocence. I find that it is a significant expression of Yiddish sensibility which needs to be studied and evaluated; luckily for us, it is usually balanced by that fine sense of irony which is the dominant characteristic of Yiddish literature as a whole.

I do not claim for Yiddish literature the status of English, American, French or Russian literature. The pity is that this body of work, barely a century old, is on a level comparable to anything produced by other modern cultures in so short a period—excepting of course the prodigious achievement of the Russians. But what would American literature be if it had ended with Anne Bradstreet or James Fenimore Cooper? The problem posed by the future is indeed disheartening: can a literature continue to flourish in a language that is dying? Before the answer has been given by history, we should make every effort to preserve what we have and to develop further what we can. □

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RECORDS / David Hamilton

CRAWFORD: String Quartet. PERLE: String Quartet No. 5. BABBITT: String Quartet No. 2. The Composers Quartet. Nonesuch H 71280. $2.98.

Ruth Crawford's String Quartet incorporates such radical experiments with musical space and time that its 1931 date still takes one by surprise—the big musical news of that year in New York was Deems Taylor's *Peter Ibbetson*; in London, Walton's *Belshazzar's Feast*; on the Continent, Ravel's Piano Concerto and Stravinsky's Violin Concerto. In her first movement, Crawford defines a textural disparity of the four instruments, which exchange several rhythmic-thematic characters among themselves during the course of a very free altercation. The "scherzo" suggests greater communality, as the instruments scrabble over one another in an apparent effort to agree on what should be a single line but never quite comes to that. Another kind of collaboration shapes the slow movement, a continuous mass of sound, gradually expanding from a single note up to a wide chord before an expostulatory climax and speedy collapse; the sustained individual elements of this "band" of sound take turns pushing to the fore, creating a rhythm entirely from dynamics. Finally, the aggressive first violin debates against muted running octaves from the others—his side of the argument stretching from one note to twenty and then back, while their replies follow the opposite direction, but with a much more neutral character. Thus various kinds of swelling and contracting, of range, time, and ensemble, are juxtaposed in a "dramatic" sequence over the work's span.

Crawford's use of textural individualization as primary musical subject matter foreshadows much recent music (and the sound of the Andante makes it the grandfather to much of Ligeti's cluster music). But even today nothing in the piece sounds conventional; every note is precisely imagined—and precisely projected in this brilliant recorded performance, a striking advance over its predecessor in every respect.

Babbitt's one-movement work, from 1952, espouses a different view of the ensemble, treating it as a homogeneous medium with a single, expository purpose. The structure unfolded deals primarily with intervals between pitches; in its course, a considerable variety of color is generated—but always supportive of the central architecture rather than exploited for its own sake. The preceding might, without stretching a point, be said equally about a Beethoven quartet—but obviously the result here is different both on the surface and in the interior arrangements. Transparent in sonority, Babbitt's quartet is both rigorous and elegant; if that combination of adjectives seems to reach for the noun "geometry," Babbitt's commitment to rhythmic development and cumulative process more than suffices to push the word away again.

Perle's work, written in 1960 and revised seven years later, is so obviously beguiling in sheer sonority that its substance might even be overlooked at first. If Crawford builds structure from instrumental character and Babbitt generates the latter from the former, Perle dispenses both even-handedly. His view of the medium may be traditional, but the musical perceptions he projects through it are original, richly thought out.

The excellent ensemble does well by all these works, and the performers are clearly recorded. The program annotations are informative. What more might one ask? This is a major contribution to the recorded literature of contempory music.

BIZET: *Carmen.* Marilyn Horne (mezzo-soprano), Carmen; Adriana Maliponte (soprano), Micaëla; James McCracken (tenor), Don José; Tom Krause (baritone), Escamillo; Donald Gramm (baritone), Zuniga. Manhattan Opera Chorus, Metropolitan Opera Orchestra; Leonard Bernstein, cond. Deutsche Grammophon 2709 043. $20.94 (three discs).

A superior recorded documentation of the Metropolitan's production of last fall (*The Nation*, October 30, 1972); all the musico-theatrical virtues generated by Bernstein's direction and Horne's superior vocal projection are intact. On records, one is more conscious than in the theatre of an inconsistency between the use of the restored spoken dialogue and the conductor's markedly large-scale approach to the score; despite the speed gained by the excision of Guiraud's recitatives, this is a "monumentalized" *Carmen*, the problem being further compounded by the extra music added in Fritz Oeser's redaction. Simply because it "moves" with the sort of *opéra comique* swiftness that, from written evidence and the nature of his revisions, I believe Bizet to have sought, Frühbeck's recording of the 1875 version is my preference (Angel 3767); however, the executive authority and elegance of the new version are hard to resist. □

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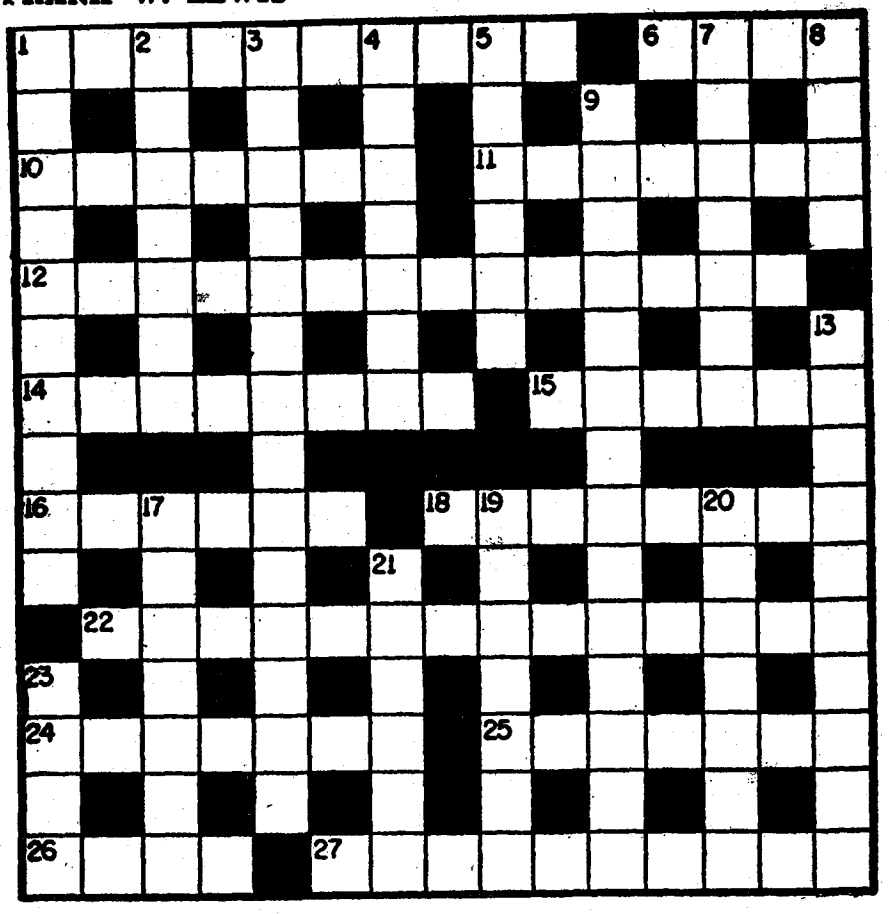
Crossword Puzzle No. 1488

FRANK W. LEWIS



ACROSS

1 Evidently no one pays for such a set-to. (4-3-3)
6 and 26 Flourish provided by serving a meal as only one course? (8)
10 Nervous because the snake did? (7)
11 Everyone in the examination got superlatively high! (7)
12 Probably not on the narcotics squad, but he might be concerned with the problem of speed. (7,7)
14 Freedom from restraint while running around at some distance from the pole? (8)
15 One might put this on right underneath the crust—it might be light in part. (6)
16 Waterboy at the spring, perhaps. (6)
18 One place to sleep to the French ends up with the same place to sleep, but certainly not clean and neat. (8)
22 Implying Arthur is rather egotistic and selfish, with no thought of monetary reward, however. (3,3,4,4)
24 Tease one into thinking 23 is all wrong? (7)
25 Such a disc once seemed to contain light containers. (7)
26 See 6 across
27 Speak pointedly in a competent manner —in fact, in an outstanding manner! (10)

DOWN

1 Is the Freshman, perhaps, still superior? (5,5)
2 The essence of select writing? (7)
3 At least 30 feet, but the following lines imply someone's parent isn't truthful! (4,6,4)
4 Took off a few dollars, or a few pounds? (7)
5 The French old-fashioned gentleman isn't punished for his crimes, evidently. (3,3)
7 Concerning the best way to put someone back in the office? (7)
8 Makes a profit as a fisherman? (4)
9 Really tired with the traditional 8 hours of dutiful acceptance? (3,2,1,4,4)
13 Things indispensable to some sewers with some cunning, which is in a manner not necessary. (10)
17 Kneaded bread in like circumstances wears down. (7)
19 An amateur, as I always say, has a rather big place in this world. (7)
20 The character who lost his porridge? (His mother obviously did.) (4-3)
21 In Ireland, rising skill, general in America. (6)
22 What a gardener might take care of is not up yet. (4)

SOLUTION TO PUZZLE NO. 1487

ACROSS: 1 Address the ball; 8 Capital gains; 10 Economical; 11 Gong; 13 Teased; 14 Rheostat; 16 Aviating; 17 Ordain; 19 Itch; 20 Atmosphere; 22 Clothes drier; 23 Take things easy. DOWN: 1 Ancient Mariner; 2 Dipsomaniacs; 3 Extroverts; 4 Silvia; 5 Headache; 6 Bone; 7 Bright and early; 9 South America; 12 Four spades; 15 Unstitch; 18 Solemn; 21 Klee.

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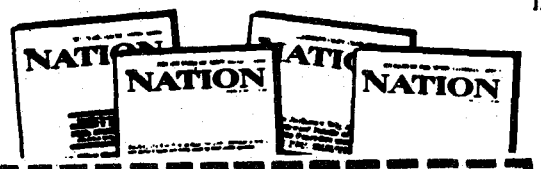

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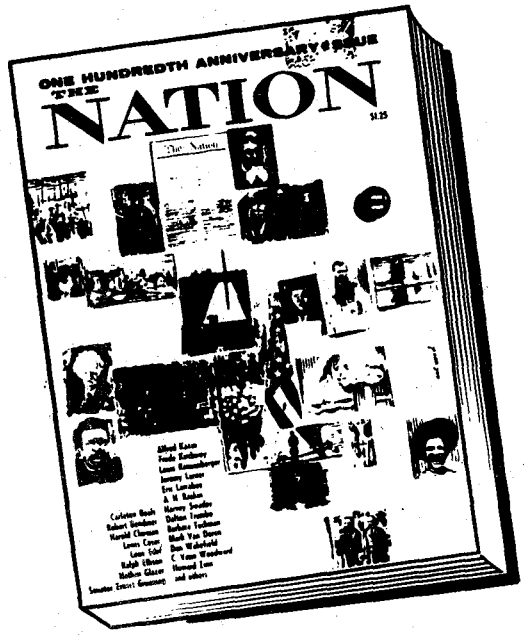

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